

Rule Summary and Fiscal Analysis (Part A)**Department of Job and Family Services**

Agency Name

Division of Social Services

Division

Mike Lynch

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Rule Number

NEW

TYPE of rule filing

Rule Title/Tag Line

Approval of a foster home for adoptive placement.**RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **No**

2. Are you proposing this rule as a result of recent legislation? **Yes**

Bill Number: **SB238**General Assembly: **126**Sponsor: **Niehaus**

3. Statute prescribing the procedure in accordance with the agency is required to adopt the rule: **119.03**

4. Statute(s) authorizing agency to adopt the rule: **3107.032, 5153.166**

5. Statute(s) the rule, as filed, amplifies or implements: **3107.011, 3107.031, 3107.032, 3107.33, 3107.034, 3107.10**

6. State the reason(s) for proposing (i.e., why are you filing,) this rule:

This rule is being proposed to implement Sections 3107.011, 3107.031, 3107.032, 3107.033, 3107.034 and 3107.10 of Sub. SB 238.

7. If the rule is an AMENDMENT, then summarize the changes and the content of the proposed rule; If the rule type is RESCISSION, NEW or NO CHANGE, then summarize the content of the rule:

This rule outlines the process and procedures when a foster caregiver(s) who has not been approved through the joint homestudy process is interested in being approved as an adoptive parent(s). This rule includes use of the JFS 01673-A "Child Characteristics Checklist for Foster Care and/or Adoption" and the JFS 01530 "Multiple Children/Large Family Assessment," as applicable. This rule also incorporates the course of actions that shall be taken by an assessor when an applicant knowingly falsifies information, initiates a homestudy or will adoptively place a child.

8. If the rule incorporates a text or other material by reference and the agency claims the incorporation by reference is exempt from compliance with sections 121.71 to 121.74 of the Revised Code because the text or other material is **generally available** to persons who reasonably can be expected to be affected by the rule, provide an explanation of how the text or other material is generally available to those persons:

This rule incorporates one or more references to another rule or rules of the Ohio Administrative Code. This question is not applicable to any incorporation by reference to another OAC rule because such reference is exempt from compliance with ORC 121.71 to 121.74 pursuant to ORC 121.76(A)(3)

This rule incorporates one or more dated references to an ODJFS form or forms. Each cited ODJFS form is dated and generally available to persons affected by this rule via the "Info Center" link on the ODJFS website (<http://jfs.ohio.gov/>) in accordance with OFC 121.75(E).

This rule incorporates one or more dated references to the U.S. Code. This question is not applicable to any dated incorporation by reference to the U.S. Code because such reference is exempt from compliance with RC 121.71 to 121.74 in accordance with RC 121.75(A).

9. If the rule incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material electronically, provide an explanation of why filing the text or other material electronically was infeasible:

This section is not applicable to this rule.

10. If the rule is being **rescinded** and incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material, provide an explanation of why filing the text or other material was infeasible:

Not Applicable.

11. If **revising** or **refiling** this rule, identify changes made from the previously filed version of this rule; if none, please state so:

The RSFA has been revised to correct reference to statute. ORC 5153.16 has been deleted and replaced with 5153.166. ORC 3107.031 has been added.

Language has been added to paragraph (A) to indicate that ODJFS will search the central registry for PCSAs, PCPAs and PNAs and provide a summary report to the agency regarding adoptive applicants and other adult household members to assist in their evaluation to approve the applicant as approved adoptive applicants.

In paragraph (A)(2)(c) the word "collateral" contact has been added.

In paragraph (B) replaced the "PCSA, PCPA and PNA" with the word "agency".

In paragraph (B)(2)(e) the spelling of the word "prospective" has been corrected.

Paragraph (B)(4)(c) has been revised to specify that foster children and children in kinship care are also included in the count of the total number of children residing in the home when determining when a multiple children assessment must be completed.

12. 119.032 Rule Review Date:

(If the rule is not exempt and you answered NO to question No. 1, provide the scheduled review date. If you answered YES to No. 1, the review date for this rule is the filing date.)

NOTE: If the rule is not exempt at the time of final filing, two dates are required: the current review date plus a date not to exceed 5 years from the effective date for Amended rules or a date not to exceed 5 years from the review date for No Change rules.

FISCAL ANALYSIS

13. Estimate the total amount by which *this proposed rule* would **increase / decrease** either **revenues / expenditures** for the agency during the current biennium (in dollars): Explain the net impact of the proposed changes to the budget of your agency/department.

This will have no impact on revenues or expenditures.

\$0.00

This new rule will have no impact on revenues or expenditures.

14. Identify the appropriation (by line item etc.) that authorizes each expenditure necessitated by the proposed rule:

This section is not applicable to this rule.

15. Provide a summary of the estimated cost of compliance with the rule to all directly affected persons. When appropriate, please include the source for your information/estimated costs, e.g. industry, CFR, internal/agency:

There is no new cost associated with this rule.

16. Does this rule have a fiscal effect on school districts, counties, townships, or municipal corporations? **No**

17. Does this rule deal with environmental protection or contain a component dealing with environmental protection as defined in R. C. 121.39? **No**