

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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5101:2-48-12

Rule Number

AMENDMENT

TYPE of rule filing

Rule Title/Tag Line

Completion of the homestudy report.**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: **HB7**General Assembly: **127**Sponsor: **Brinkman**

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, 3107.033, 5103.03, 5153.166**

5. Statute(s) the rule, as filed, amplifies or implements: **3107.011, 3107.032, 3107.033, 3107.034, 3107.10, 5103.18**

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

This rule is being proposed for amendment to implement section 3107.033 of Sub. HB 7 of the 127th General Assembly.

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 homestudy process for prospective adoptive applicants, the procedures for approving or denying an applicant as an adoptive parent and who may conduct adoptive homestudies. This rule is being proposed for amendment to include language that an assessor shall interview all members of the household over the age of four, to clarify the requirements of an adoption assessor who is conducting homestudies, remove language requiring five year proof of residency in Ohio and to clarify what documents are required for a homestudy. Other amendments to this rule include the removal of the six year expiration of a homestudy and removal of language requiring notification of impending placement as this language can be found in rule 5101:2-48-16 of the Administrative Code.

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:

The 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)(1).

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 the rule via the "Info Center" link on the ODJFS web site (<http://jfs.ohio.gov/>) in accordance with ORC 121.75(E).

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:

No new costs are anticipated.

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:

4/27/09 revise filing.

A new paragraph (DD) has been added to indicate that a homestudy shall be amended, if applicable, in accordance with rule 5101:2-48-12.2 of the Administrative Code.

A new paragraph (EE) has been added to indicate that an adoptive home must continue to be in an approved status until the adoption is finalized.

4/22/09 revise filing.

The following revisions have been made:

A new paragraph (W)(3)(a) which requires documentation that the applicant and all household members are free from conditions which would endanger children or impair their ability to care for the child being adopted has been added to this rule.

In paragraph (W)(3)(b), "An agency" has been changed to "The agency."

The language "required in paragraph (X) of this rule" has been added to paragraphs (Z) and (AA).

12. 119.032 Rule Review Date: 8/1/2013

(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 rule will have no impact on the agency's projected budget for the current biennium.

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

Not applicable.

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:

No new costs are anticipated.

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**