

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 5101:9-7-23

Rule Type: Amendment

Rule Title/Tagline: Child support random moment sample time study.

Agency Name: Department of Job and Family Services

Division: ODJFS Practices

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I. Rule Summary

1. Is this a five year rule review? Yes
 - A. What is the rule's five year review date? 3/19/2025
2. Is this rule the result of recent legislation? No
3. What statute is this rule being promulgated under? 119.03
4. What statute(s) grant rule writing authority? 3125.25, 5101.02
5. What statute(s) does the rule implement or amplify? 3125.25, 5101.02
6. Does the rule implement a federal law or rule in a manner that is more stringent or burdensome than the federal law or regulation requires? No
 - A. If so, what is the citation to the federal law or rule? Not Applicable
7. What are the reasons for proposing the rule?

Five year review
8. Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.

This rule sets forth the random moment sample (RMS) methodology used to measure the activity of county child support enforcement agency (CSEA) staff related to child support program activities. Data collected from the time studies are used to calculate allocation statistics used to distribute cost pool expenditures to programs.

- 9. Does the rule incorporate material by reference? Yes**
- 10. If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.75, please explain the basis for the exemption and how an individual can find the referenced material.**

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 RC 121.71 to 121.74 pursuant to RC 121.75(A)(1)(d).

- 11. If revising or re-filing the rule, please indicate the changes made in the revised or re-filed version of the rule.**

Not Applicable

II. Fiscal Analysis

- 12. Please estimate the increase / decrease in the agency's revenues or expenditures in the current biennium due to this rule.**

This will have no impact on revenues or expenditures.

0.0

Not applicable.

- 13. What are the estimated costs of compliance for all persons and/or organizations directly affected by the rule?**

No new costs.

- 14. Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No**

- 15. Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No**

16. If the rule imposes a regulation fee, explain how the fee directly relates to your agency's cost in regulating the individual or business.

Not applicable.

III. Common Sense Initiative (CSI) Questions

17. Was this rule filed with the Common Sense Initiative Office? No

18. Does this rule have an adverse impact on business? No

- A. Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? No
- B. Does this rule impose a criminal penalty, a civil penalty, or another sanction, or create a cause of action, for failure to comply with its terms? No
- C. Does this rule require specific expenditures or the report of information as a condition of compliance? No
- D. Is it likely that the rule will directly reduce the revenue or increase the expenses of the lines of business of which it will apply or applies? No

IV. Regulatory Restriction Requirements under S.B. 9. Note: This section only applies to agencies described in R.C. 121.95(A).

19. Are you adding a new or removing an existing regulatory restriction as defined in R.C. 121.95? Yes

- A. How many new regulatory restrictions do you propose adding to this rule? 0
- B. How many existing regulatory restrictions do you propose removing from this rule? 26

(B) For purposes of this rule, CSEA shall be defined as any county CSEA organizational structure outlined in rule 5101:9-1-16 of the Administrative Code.

(C) Employees engaged in directly related CSEA functions shall participate in the CSRMS time study and cannot participate in more than one type of time study, i.e., income maintenance, workforce, social services, or child welfare random moment sample.

(C)(2) The CSEA shall retain documentation to support the inclusion of the position in the time study.

(C)(2) The documentation shall include a copy of the position description signed by the current CSEA head.

(C)(3) The CSEA shall retain documentation to support the inclusion of the position in the time study.

(C)(3) The documentation shall include a copy of the position description signed by the current CSEA head.

(D) A CSRMS coordinator must be assigned to administer the time study.

(D) The CSEA must also select at least one alternate to complete the CSRMS process in the coordinator's absence.

(D) (1) The employee roster shall include, at a minimum:

(D)(2) The CSRMS coordinator shall not include vacant positions on the CSRMS roster.

(D)(2) If the vacancy is expected to remain unfilled through the majority of the next CSRMS observation period, the CSRMS coordinator shall remove the position from the CSRMS roster. Once the vacancy has been filled, the position shall be added back to the CSRMS roster by the CSRMS coordinator.

(D)(2) Once the vacancy has been filled, the position shall be added back to the CSRMS roster by the CSRMS coordinator.

(D)(3) CSRMS coordinators shall complete all rosters in webRMSRMS no later than five business days before the CSRMS sampling period begins.

(E)(2)(b) The employee is required to complete the comment section.

(E)(2)(b)(i) An employee working on a case must include a case number or other unique identifier establishing case/client identity.

(E)(2)(b)(ii) The employee must ensure that adequate backup documentation is available to verify the activity being performed.

(E)(2)(b)(iii) An employee attending a meeting or training at the time of the observation moment must enter the title/subject, location, and facilitator.

(E)(2)(b)(iv) An employee on break, at lunch, on leave, or on personal business at the time of the observation must indicate the position was idle.

(E)(4) The CSRMS coordinator shall note the reason for the substitution and on behalf of the employee document the response in the comments section.

(F)(3) In accordance with federally accepted timelines, the CSRMS coordinator shall review and approve by accepting all observation moment responses within seventy-two hours.

(G)(2) A CSEA with ten or fewer participating positions must complete a minimum of thirty-three observations per participating position.

(G)(3) A CSEA electing to sample more than the minimum number of observations per period must request the desired number of samples in webRMS.

(G)(3) Once the extra moments are approved by ODJFS, they must be completed for that period.

(I)(2) The CSRMS coordinator shall reassign the position to the new name and e-mail address of the employee or supervisor.

(J) The CSRMS coordinator must approve the CSRMS for the reporting period in webRMS within five working days after the last moment has expired.

The CSEA shall retain documentation in accordance with the records retention requirements in rule 5101:9-9-21 of the Administrative Code.

- C. If you are not removing existing regulatory restrictions from this rule, please list the rule number(s) from which you are removing restrictions.**
- D. Please justify the adoption of the new regulatory restriction(s).**

Not Applicable

