

PUBLIC HEARING NOTICE
OHIO DEPARTMENT OF JOB AND FAMILY SERVICES

DATE: January 5, 2012
TIME: 10:00 a.m.
LOCATION: Room 3110B, Rhodes State Office Tower, 30 East Broad St.,
Columbus, Ohio 43215

Pursuant to section 3125.25 and Chapter 119. of the Ohio Revised Code, the director of the Ohio Department of Job and Family Services gives notice of the department's intent to consider the rescission, adoption, and amendment of the rules as identified below and of a public hearing thereon.

The following Ohio Administrative Code (OAC) rules are being proposed for rescission as a result of a review conducted in accordance with section 119.032 of the Revised Code (ORC), which requires five-year reviews of all state agency rules.

- Rule 5101:12-1-15, "Support enforcement tracking system," describes the statewide automated data processing and information retrieval system known as the support enforcement tracking system. It is being replaced by new rule 5101:12-1-15.
- Rule 5101:12-1-20, "Information Handling: Scope and Definitions, " describes the requirements for authorized access to, use, disclosure, and safeguarding of information contained in a person's case record. It is being replaced by new rule 5101:12-1-20.
- Rule 5101:12-1-20.1, "Use of Information," describes the requirements for the use, protection, and dissemination of information that is collected and maintained by an agency in the performance of support enforcement program functions. It is being replaced by new rule 5101:12-1-20.1
- Rule 5101:12-1-20.2, "Safeguarding of Participant Information," describes procedures an agency is required to follow in order to safeguard confidential information from participants in the support enforcement program received from the internal revenue service (IRS), Ohio department of taxation (ODT), the state parent locator service (SPLS), federal parent locator service (FPLS), and Ohio department of job and family services, office of unemployment compensation (UC). The safeguarding requirements of this rule apply to all paper, electronic, or imaged records. It is being replaced by new rules 5101:12-1-20.2 and 5101:12-1-20.3.
- Rule 5101:12-20-10, "Location for parental kidnapping, child custody, and visitation purposes," describes the use of the federal parent locator service (FPLS) to locate an individual for parental kidnapping, child custody, or visitation purposes. This rule also describes the procedures a child support enforcement

agency (CSEA) shall follow upon receipt of a request to use FPLS for this purpose. It is being replaced by new rule 5101:12-20-10.

The following new rules are being proposed to replace rescinded rules:

- Rule 5101:12-1-15, "Support enforcement tracking system," describes the statewide automated data processing and information retrieval system known as the support enforcement tracking system (SETS). Changes from the rescinded rule include: responsibilities of an individual or entity with access to SETS, a more complete list of forms that must be completed by an individual or entity in order to obtain system access.
- Rule 5101:12-1-20, "Confidentiality of information," describes the requirements for authorized access to, use, disclosure, and safeguarding of information contained in a person's case record. Changes from the rescinded rule include: an expanded list of terms and definitions, how information requests from an individual or entity are made, and identified information that may be disclosed in order to carry out functions of the program.
- Rule 5101:12-1-20.1, "Requests for information contained in a person's case record," describes the requirements for the use, protection, and disclosure of information that is collected and maintained by an agency dependent upon collection source and disclosure purpose. Changes from the rescinded rule include: differentiating between the sources of the information contained in SETS and its allowable uses to be in compliance with the updated federal regulations 45 CFR Parts 301, 302, 303, and 307.
- Rule 5101:12-1-20.2, "Safeguarding of information from the internal revenue service and safeguarding visit procedures," describes the procedures an agency is required to follow in order to safeguard information received from the internal revenue service (IRS). Changes from the rescinded rule include: the ability for agencies to conduct a self assessment, removal of safeguarding requirements for unemployment compensation requirements and the Ohio department of taxation.
- Rule 5101:12-1-20.3, "Safeguarding of information from the unemployment compensation program and Ohio department of taxation," describes the procedures an agency is required to follow in order to safeguard information received from Unemployment Compensation (UC) and the Ohio department of taxation. This rule replaces part of 5101:12-1-20.2.
- Rule 5101:12-20-10, "Location for parental kidnapping, child custody, and visitation purposes," describes the use of the federal parent locator service (FPLS) to locate an individual for parental kidnapping, child custody, or visitation purposes. This rule also describes the procedures a child support enforcement agency (CSEA) shall follow upon receipt of a request to use FPLS for this

purpose. Changes to the rescinded rule include: language changes for clarification; update the site to 45 C.F.R. 301.15, effective October 1, 2010; and additions to restrictions on disclosure.

The following rule is being proposed to be amended:

- Rule 5101:12-20-05.2, "State parent locator service," describes the state parent locator service (SPLS) maintained by the Ohio department of job and family services. The rule has been amended to update reference sites within the Administrative Code.

Copies of the proposed rules are available, without charge, to any person affected by the rules at the address listed below. The rules are also available on the internet at <http://www.registerofohio.state.oh.us/>.

A public hearing on the proposed rules will be held at the date, time, and location listed at the top of this notice. Either written or oral testimony will be taken at the public hearing. Additionally, written comments submitted or postmarked no later than the date of the public hearing will be treated as testimony.

Requests for a copy of the proposed rules or comments on the rules should be submitted by mail to the Ohio Department of Job and Family Services, Office of Legal Services, 30 East Broad Street, 31st Floor, Columbus, Ohio 43215-3414, by fax at (614) 752-8298, or by e-mail at rules@jfs.ohio.gov.