

**PUBLIC HEARING NOTICE  
OHIO DEPARTMENT OF JOB AND FAMILY SERVICES**

**DATE: 01/17/2018**

**TIME: 10:00 AM**

**LOCATION: Room 1865, Rhodes State Office Tower, 30 East Broad St., Columbus, Ohio 43215**

Pursuant to sections 3123.81, 3125.03, 3125.08, 3125.25, 3125.51 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 amendment, rescission and adoption of the rules as identified below and of a public hearing thereon.

The following Ohio Administrative Code (OAC) rules are being proposed for amendment, rescission and adoption as a result of a review conducted in accordance with section 106.03 of the Revised Code (ORC), which requires five-year reviews of all state agency rules.

- 5101:12-1-15, "Support Enforcement Tracking System." This rule describes the statewide automated data processing and information retrieval system known as the support enforcement tracking system (SETS). Changes to the rule include updating the form effective date language, amending the language in paragraph (A)(1) and (H)(3) to address the new proposed rule structure, adding sub-contractors to paragraphs (F)(1), (2), (3), (4) and (H)(5), for consistency making changes to abbreviations as needed, and adding new language in paragraph (G).
- 5101:12-1-20, "Confidentiality of Information." This rule describes the requirements for authorized access to, disclosure, and safeguarding of information contained in a person's case record. Change to the rule includes updating the form effective date language, for consistency purposes in paragraph (C) removed the words "term and," in paragraph (C)(13) removed the words "refers to" and replaced with "means," and for consistency making changes to abbreviations as needed.
- 5101:12-1-20.1, "Request for Information Contained in a Person's Case Record." This rule describes the requirements for the use, protection, and disclosure of information that are collected and maintained by an agency dependent upon collection source and disclosure purpose. Changes to the rule include in paragraph (B)(1)(c)(iii) amended the language to address the new proposed rule structure and in paragraphs (B)(3)(4) and (C)(2) capitalized or added the word "Title."
- 5101:12-1-99, "Chapter 5101:12-1 Forms – Ohio Support Enforcement Program." This rule contains a compilation of forms with their effective or revised effective date, referenced within various rules contained within division 5101:12 of the Administrative Code, but first cited within Chapter 5101:12-1 of the Administrative Code. Changes to the rule include removing the JFS 07013 as this form is being obsoleted, updating the title of the JFS 02750, updating the revision dates for the JFS 07072, JFS 07713 and ODM 06613, and adding the JFS 07729 as this is a new form.

- 5101:12-50-32.9, “Federal Adjustment, State Payments, and Recovery of Disbursed Federal Tax Offset Collections.” This rule describes the processes used to rectify an invalid federal tax offset. Changes to this rule include amending the title of the JFS 07017 in paragraph (E)(1).
- 5101:12-50-99, “Chapter 5101:12-50 Forms – Enforcement of the Support Order.” This rule contains a compilation of forms with their effective or revised effective date, referenced within various rules contained within division 5101:12 of the Administrative Code, but first cited within Chapter 5101:12-50 of the Administrative Code. Changes to this rule include amending the name and updating the revision date for the JFS 07017 and adding language to specify that a payor will need to apply state and/or federal withholding limits when applicable to the JFS 07726.
- 5101:12-1-20.2, “Safeguarding of Information from the Internal Revenue Service and Safeguarding Visit Procedure.” This rule describes the procedure an agency is required to follow to safeguard information received from the internal revenue service (IRS). This rule is being rescinded and will be filed as new rules 5101:12-1-22 and 5101:12-1-22.1. Provisions that relate to safeguarding of federal tax information (FTI) will be moved to new proposed rule 5101:12-1-22 of the Administrative Code, and provisions that relate to the safeguarding visit procedures will be moved to new proposed rule 5101:12-1-22.1 of the Administrative Code.
- 5101:12-1-20.3, “Safeguarding of Information from the Unemployment Compensation Program and Ohio Department of Taxation.” This rule describes the procedures an agency is required to follow to safeguard information received from Unemployment Compensation (UC) and the Ohio department of taxation. This rule will be rescinded and filed as new rule 5101:12-1-20.2. Provisions that relate to information a child support enforcement agency (CSEA) receives from the unemployment compensation program and Ohio department of taxation will be moved to new proposed rule 5101:12-1-20.2 of the Administrative Code.
- 5101:12-1-20.2, “Information from the Unemployment Compensation Program and Ohio Department of Taxation.” This rule 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. The provisions that relate to the information a CSEA receives from the unemployment compensation program and Ohio department of taxation from rescinded rule 5101:12-1-20.3 have been moved to this rule. Changes from the rescinded rule include amending the title of the rule.
- 5101:12-1-22, “Safeguarding of Information from the Internal Revenue Service.” This rule describes procedures an agency is required to follow in order to safeguard information received from the IRS. The provisions that relate to the safeguarding of FTI from rescinded rule 5101:12-1-20.2 have been moved to this rule. Changes from the rescinded rule include removal of the hanging paragraph under paragraph (A), adding new language in paragraphs (E),(F), and (G) about re-disclosing FTI, and revised and updated the requirements in paragraph (H) for a CSEA.

- 5101:12-1-22.1, “Safeguarding Visit Procedure.” This rule describes visit procedures an agency is required to follow in order to safeguard information received from the IRS. The provisions that relate to the safeguarding visit procedure from rescinded rule 5101:12-1-20.2 have been moved to this rule. Changes from the rescinded rule include updating the revision date for the IRS publication 1075, removing the JFS 07713 and replacing it with the JFS 07729, in paragraph (C)(1) changing the notification time period to 15 days from 10 days, in paragraph (C)(2) changing the return time of the JFS 07729 from 5 days to 3 days, in paragraph (C)(3)(d) adding a more detailed list of locations that could be inspected during an on-site visit, and in paragraph (D) revised the follow up procedure to reflect how the JFS 07729 will be handled between OCS and the CSEA.

Copy of the proposed rules are available, without charge, to any person affected by the rule 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 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 and Acquisition 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](mailto:rules@jfs.ohio.gov).