

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

DATE: March 19, 2014
TIME: 10:00 A.M.
LOCATION: Room 3110 B, Rhodes State Office Tower
30 East Broad St., Columbus, Ohio 43215

Pursuant to sections 5104.30, 5104.34, and 5104.38 and Chapter 119. of the Revised Code, the director of the Ohio Department of Job and Family Services (ODJFS) gives notice of the department's intent to consider the adoption and amendment of the rules as identified below and of a public hearing thereon as a result of a five year review.

Rule 5101:2-16-01 "Definitions for eligibility for publicly funded child care benefits" is being amended to remove the definition of "federal poverty level" as it is defined in another rule, and to correct the Ohio Administrative Code citation in the definition of "head start program."

Rule 5101:2-16-07 "County department of job and family services (CDJFS) responsibilities for the administration of publicly funded child care" is being amended to add language requiring the CDJFS to participate and cooperate in reviews/audits regarding the administration of publicly funded child care.

Rule 5101:2-16-34 "Income eligibility requirements for publicly funded child care" is being amended to remove language that is duplicative regarding calculating a family's gross income, and to add language that allows the CDJFS to determine a reasonable approved activity time allotment for the authorizations of applicants who are self-employed.

Rule 5101:2-16-35 "County department of job and family services responsibilities for determining eligibility for publicly funded child care benefits" is being amended to update the revision dates of two state hearing forms, and to clarify reasons for denying or terminating a child care case due to the misuse of the Ohio Electronic Child Care (ECC) swipe card.

Rule 5101:2-16-35.1 "Caretaker eligibility requirements for publicly funded child care" is being amended to add language regarding authorizations that end due to nonuse, as well as reporting a change in authorization within a service week. It is also being amended to add language for possible termination of child care benefits when a caretaker does not use the Ohio ECC swipe card to record attendance. Amendments include not allowing an owner or owner's representative to have their own child (ren) authorized to their center, as well as not allowing an employee of Type A Homes to have their own child (ren) authorized to the Type A Home where they are employed.

Rule 5101:2-16-42 "Payment waivers for children with special needs" is being amended to change the title, clarify language regarding the submission of requests for a special needs waiver and to revise the form.

Rule 5101:2-16-44 "Provider agreement for payment of publicly funded child care" is being amended to add language requiring use of the Ohio ECC swipe card and outlines procedures for completing a JFS 01261 "Publicly Funded Child Care Manual Claim for Attendance" and JFS 01292 "Publicly Funded Child Care Request for Ohio ECC Payment Adjustment."

Rule 5101:2-16-71 "Child care improper payments" is being amended to clarify language regarding the utilization of the Ohio ECC swipe card, to update the title and revision date of the JFS 02827 "Public Assistance (PA) Quarterly Financial Statement" and to outline requirements to collect a child care improper payment.

Rule 5101:2-16-72 "Publicly funded child care records review" is a new rule which contains the responsibilities and requirements that child care providers, caretakers, and the CDJFS must comply with during a program integrity review completed by ODJFS. This new rule includes a form to request an appeal as a result of a review.

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 ODJFS, 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.