

PUBLIC HEARING NOTICE

OHIO DEPARTMENT OF JOB AND FAMILY SERVICES

DATE: May 21, 2019
TIME: 10:00 A.M.
LOCATION: Rhodes State Office Tower, Room 3110B
30 East Broad Street, Columbus, Ohio 43215

Pursuant to Section 5101.141 and Chapter 119 of the Ohio Revised Code, the director of the Department of Job and Family Services gives notice of the department's intent to consider the amendment of rules as identified below and of a public hearing thereon. These rules are being filed as part of the five-year rule review process.

In accordance with Ohio Revised Code (ORC) section 106.03, each state agency is required to review its rules a minimum of once every five years. The intent of the law is to ensure that rules are clearly written and that program requirements are accurate, up-to-date and clearly expressed. To the extent possible, unnecessary paperwork will be eliminated, and local agencies will be given increased flexibility. The purpose of a rule review is to determine whether a rule should be continued without amendment, be amended or be rescinded, taking into consideration each rule's scope and purpose. The rules have been reviewed and revised with the collaboration of an external workgroup comprised of various adoption assistance county partners across Ohio.

Ohio Administrative Code (OAC) rule 5101:2-49-01 entitled "**Administration of the Title IV-E Adoption Assistance (AA) Program**" outlines the AA administrative requirements for public children services agencies (PCSA). This rule also contains requirements for private child placing agencies (PCPAs). Changes include updates to revision dates in paragraph (B), (F) and (I); correction to form name in paragraph (F)(2)(b)(i); clarification in paragraph (E)(2)(c) regarding agency responsibility has been amended to placement and care/custody; approval or denial of an eligibility determination application request has been changed from thirty working days to thirty calendar days; and language has been stricken in (H)(1) referencing CRIS-E as a source of verification and information to determine eligibility. This can now be done by launching the Ohio Integrated Eligibility System (OIES) interface in the Statewide Automated Child Welfare Information System (SACWIS). The JFS 06612 "**Health Insurance Information Sheet**" is no longer available on the JFS Form Central website. The form is available through the Ohio Department of Medicaid, Medicaid Forms Listing website which can be accessed through JFS Forms Central. The title to the rule has been amended.

Ohio Administrative Code (OAC) rule 5101:2-49-17 entitled "**Case Record Requirements for Title IV-E Adoption Assistance (AA)**" outlines the case record requirements for each adoption assistance case. Changes were made to the rule to provide clarification. Form title changes and revision dates were made in paragraph (B)(3), (B)(22), and (B)(27). Language was added in paragraph (B)(17) to include eligibility documentation of a child of a minor parent who is eligible for Title IV-E foster care maintenance

(FCM) payments. Paragraph (B)(18) indicates the eligibility documentation of a child placed in the custody of a Public Children Services Agency (PCSA) as a result of a JFS 01645 or JFS 01666 to be included in the case record. Reference in the rule to the adoption assistance connection (AAC) to age twenty-one program has been removed from the rule. Rules pertaining to the AAC program can now be found in Chapter 51 of the Administrative Code. The title to the rule has been amended. The JFS 01451-B **"Title IV-E Adoption Assistance Annual Assurance of Legal Responsibility, School Attendance and Eligibility for Continued Medicaid Coverage"** has been amended to incorporate the changes made to rule 5101:2-49-17 of the Administrative Code. The JFS 01453 **"Title IV-E Adoption Assistance Agreement"** has been amended to incorporate the changes made to rule 5101:2-49-17 of the Administrative Code.

Ohio Administrative Code (OAC) rule 5101:2-49-21 entitled **"Reimbursement of Nonrecurring Adoption Expenses for a child with Special Needs"** outlines the requirements for eligibility for nonrecurring adoption expenses and the reimbursement of the nonrecurring adoption expenses. Changes were made to clearly explain requirements. Language was added to paragraph (L)(1) to clarify that the application for reimbursement of nonrecurring adoption expenses, the JFS 01421 entitled "Application for Reimbursement of Nonrecurring Adoption Expenses," to the Public Children Services Agency (PCSA) that holds permanent custody, or the case of an independent adoption is submitted in the county that the adoptive parent(s) resides. Submission of the JFS 01421 "Application for Reimbursement of Title IV-E Nonrecurring Adoption Expenses" shall be submitted to the county where the adoptive parent(s) reside. In paragraph (R)(3), language was included for a final decree of adoption by a foreign country which now constitutes a final adoption. The JFS 01421 **"Application for Reimbursement of Title IV-E Nonrecurring Adoption Expenses"**; JFS 01421-I **"Instruction for Completing JFS 01421, Application for Reimbursement of Title IV-E Nonrecurring Adoption Expenses"**; and JFS 01438 **"Agreement for Payment of Reimbursement for Title IV-E Nonrecurring Expenses incurred in Adoption of a Child"** have been amended to incorporate the changes made to rule 5101:2-49-21 of the Administrative Code. The JFS 01453 **"Title IV-E Adoption Assistance Agreement"** has been amended to incorporate the changes made to rule 5101:2-49-21 of the Administrative Code.

A copy of the proposed rules is 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.

Request 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 and Acquisition Services, 30 East Broad Street, 31st Floor, Columbus, Ohio 43215, by fax at 614-752-8289, or by e-mail at rules@jfs.ohio.gov.