



TO: Michael Lynch, Ohio Department of Job and Family Services

FROM: Sophia Papadimos, Regulatory Policy Assistant

DATE: May 7, 2015

RE: CSI Review – Adoption Falsification (OAC 5101:2-33-13)

On behalf of Lt. Governor Mary Taylor, and pursuant to the authority granted to the Common Sense Initiative (CSI) Office under Ohio Revised Code (ORC) section 107.54, the CSI Office has reviewed the abovementioned administrative rule package and associated Business Impact Analysis (BIA). This memo represents the CSI Office's comments to the Agency as provided for in ORC 107.54.

Analysis

This rule package consists of one amended rule¹ being proposed by the Ohio Department of Job and Family Services (ODJFS) pursuant to the five-year review requirement in statute. The rule package was submitted to the CSI Office on April 23, 2015 and the comment period was held open through April 30, 2015. No comments were received during this time.

The proposed rule establishes the process and appropriate actions to take when it is suspected an adoptive family has falsified information during the homestudy process, or after the homestudy process is approved. The Department explained that no substantive changes are being made to the rule and that it is being amended for clarification purposes.

Stakeholders such as the Ohio Associations of Child Caring Agencies (OACCA) and the Institute for Human Services (IHS) were involved in the reorganization of the rule. ODJFS explains that

¹The rule is being amended by more than 50 percent. Therefore, the Legislative Service Commission requires that the existing rule be rescinded and replaced by a new rule that has the same rule number.

the impacted industry includes private child placing agencies (PCPAs) and private noncustodial agencies (PNAs). The adverse impact is the time associated with collecting, completing, and forwarding documentation to the Department, in the event falsified documents are suspected. Depending on the individual family circumstances, the time it takes to gather all of the relevant information can range from 4-15 hours. This process is necessary to ensure the safety and well-being of children in permanent adoptive placements.

After reviewing the rule and associated BIA, the CSI Office has determined the purpose of the rule is justified.

Recommendation

For the reasons explained above this office does not have any recommendations regarding this rule package.

Conclusion

Based on the above comments, the CSI Office concludes that the Department should proceed with the formal filing of this rule package with the Joint Committee on Agency Rule Review.

cc: Mark Hamlin, Lt. Governor's Office