

**MEMORANDUM**

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

FROM: Sydney King, Regulatory Policy Advocate

DATE: May 20, 2015

RE: **CSI Review – Statewide Automated Child Welfare Information System (OAC 5101:2-33-70)**

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 rule being proposed by the Ohio Department of Job and Family Services (ODJFS) pursuant to the five-year review statutory requirement. The rule package was filed with the CSI Office on April 23, 2015 and the comment period for the rule closed on April 30, 2015.

The Statewide Automated Child Welfare Information System (SACWIS) is a comprehensive automated case management tool. SACWIS is federally-required and mandates the input of pertinent information from a child's official case record into a statewide database. ODJFS states that the system ensures critical information relating to "the safety, well-being, eligibility, and permanency of children in custody" is readily available. The rule was amended to correct errors, provide clarity to the requirements, and allow for staff members who are employed as Wendy's Wonderful Kids recruiters to access SACWIS.

According to the BIA, the rule package was reviewed during the Partners for Ohio's Families

meetings. Stakeholders included the Ohio Association of Child Care Agencies (OACCA), the Ohio Family Care Association, representatives from county agencies, and the Ohio Council of Behavioral Health and Family Services Providers. The BIA indicates that the rule package was amended based on stakeholder input. One comment was received during the CSI public comment period and ODJFS incorporated the suggestions into the rule package.

ODJFS focuses on the impact to PCPAs and PNAs because the PCSAs, as public entities, are not businesses. The rule provides a set of requirements that PCPAs must follow in order to access the SACWIS system and input required information into the database. ODJFS states the adverse impacts are the employee trainings needed to understand the SACWIS system and the potential loss of revenue for billing services if information entered into the database is inaccurate or not entered timely. If noncompliance occurs, the PCPA may incur administrative and criminal penalties.

The CSI Office followed up with ODJFS inquiring about the Wendy's Wonderful Kids amendment. ODJFS has partnered with the Dave Thomas Foundation to utilize the Wendy's Wonderful Kids recruiters. These recruiters utilize the case records to explore substitute care options that may have a relationship with the children. PCSAs, the public child care agencies, contract with the recruiters to perform this function. By allowing the recruiters access to the SACWIS system, they will have access to critical case information related to the children.

ODJFS states the rule is federally required but is also necessary to improve the accuracy of a child's official case record. According to the BIA, this will allow local caseworkers to make placement decisions with more accurate information and therefore, will benefit the health and safety of the children in custody.

After reviewing the proposed rule and the BIA, the CSI Office has determined that the rule package satisfactorily meets the standards espoused by the CSI Office, and 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