



## Common Sense Initiative

**Mike DeWine**, Governor  
**Jon Husted**, Lt. Governor

**Carrie Kuruc**, Director

### MEMORANDUM

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

**FROM:** Jacob Ritzenthaler, Regulatory Policy Advocate

**DATE:** February 18, 2021

**RE:** **CSI Review – Transitional Pandemic Requirements for Approved Child Day Camps (OAC 5101:2-18-03.1)**

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On behalf of Lt. Governor Jon Husted, 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 Department as provided for in ORC 107.54.

#### Analysis

This rule package consists of one new rule proposed by the Ohio Department of Job and Family Services (ODJFS). This rule package was submitted to the CSI Office on February 1, 2021 and the public comment period was held open through February 8, 2021. Unless otherwise noted below, this recommendation reflects the version of the proposed rules filed with the CSI office on February 1, 2021.

Ohio Administrative Code (OAC) 5101:2-18-03.1 is a new rule that establishes requirements for child day camps as they transition out of pandemic requirements. During the period of transition from pandemic child care requirements, Child day camps are required to maintain health guidance issued by the Governor or Ohio Department of Health. The rule also requires day camps to ensure that staff and children wash hands regularly, are monitored for symptoms daily, and wear face masks while indoors. If a staff person or child tests positive for COVID-19, the individual is immediately removed from the day camp, ODJFS and the local health department is contacted, and the day camp will ensure that the individual completes isolation or quarantine requirements before returning.

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During early stakeholder outreach, ODJFS reviewed the rule during meetings of the Child Care Advisory Council and sent the rule to interested parties for feedback. The Council recommended including handwashing requirements that were not overly restrictive for staff and consistency-based language changes, which ODJFS incorporated into the rule. No comments were received during the CSI public comment period.

The business community impacted by the rule includes approximately 108 registered child day camps operating in Ohio. The adverse impact created by the rule include the cost of any modifications and extra supplies to adhere to sanitization requirements. ODJFS notes that the cost can vary for businesses based on factors that include whether adequate hand washing stations are already in place or if dividing surfaces are deemed necessary to keep groups separated. ODJFS states that the rule is necessary to ensure that day camps can adjust to the health needs of children in response to the COVID-19 pandemic.

### **Recommendations**

Based on the information above, the CSI Office has no recommendations on this rule package.

### **Conclusion**

The CSI Office concludes that the Ohio Department of Job and Family Services should proceed in filing the proposed rules with the Joint Committee on Agency Rule Review.