



Common Sense Initiative

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

Joseph Baker, *Director*

MEMORANDUM

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

FROM: Jacob Ritzenthaler, Business Advocate

DATE: July 15, 2024

RE: CSI Review – Title IV-E (OAC 5101:2-49-01, 5101:2-49-17, and 5101:2-49-21)

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 three amended rules proposed by the Ohio Department of Job and Family Services (ODJFS) as part of the statutory five-year review process. This rule package was submitted to the CSI Office on June 21, 2024, and the public comment period was held open through June 28, 2024. Unless otherwise noted below, this recommendation reflects the version of the proposed rules filed with the CSI Office on June 21, 2024.

Ohio Administrative Code (OAC) Chapter 5101:2-49 establishes requirements for the Title IV-E Adoption Assistance (AA) Program, which provides reimbursement to assist with the adoption process. OAC 5101:2-49-01 provides the administrative requirements for the AA program, including the responsibilities of public children services agencies (PCSAs), the circumstances under which adoptive parents and stepparents may apply for AA, and the procedure for determining eligibility. The rule is amended to update the title of the Statewide Automated Child Welfare Information System to the Ohio Comprehensive Child Welfare Information System (Ohio CCWIS), provide clarification regarding the provision of ODJFS forms, remove revision dates from forms, and remove unnecessary regulatory restrictions. OAC 5101:2-49-17 sets forth requirements for the case records that PCSAs must maintain. The rule is amended to include copies of the JFS 01667 “Adoption Information Disclosure” and JFS 01699 “Prefinalization Adoption Assessment Report” within the

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case record, update the title of the Ohio CCWIS, remove revision dates from forms, and remove unnecessary regulatory requirements. OAC 5101:2-49-21 concerns the process for reimbursement of Title IV-E nonrecurring adoption expenses for children with special needs and includes amendments that remove unnecessary regulatory restrictions.

During early stakeholder outreach, ODJFS reviewed the rules during meetings with county partners, adoption advocates, the juvenile court system, child welfare training programs, and the Public Children Services Association of Ohio. Comments received during that time were incorporated into the proposed rules. No comments were received during the CSI public comment period.

The business community impacted by the rules includes fifty-eight private child placing agencies. The adverse impacts created by the rules include time spent providing assistance information and forms to adoptive families. ODJFS states that the adverse impact created by the rules is necessary to comply with requirements of the federal Social Security Act.

Recommendations

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

Conclusion

The CSI Office concludes that ODJFS should proceed in filing the proposed rules with the Joint Committee on Agency Rule Review.