

**MEMORANDUM**

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

FROM: Travis Butchello, Regulatory Policy Advocate

DATE: June 30, 2017

RE: **CSI Review – Independent Living Services for Youth (OAC 5101:2-42-19)**

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 proposed by the Ohio Department of Jobs and Family Services (JFS). The rule package was submitted to the CSI Office on June 13, 2017 and the public comment period was held open through June 17, 2017. No comments were received during this time.

The rule sets forth guidelines for independent living services required to be provided to each youth in the custody of the Public Children Services Agency or Private Child Placing Agency (PCPA), to help prepare them for the transition from custody to self-sufficiency. The rule is being amended as a result of federal mandates to ensure that credit reporting language requirements were deleted from Ohio Administrative Code (OAC) 5101:2-38-10 and amended into this rule to require caseworkers to request credit reports each year until the child is no longer in foster care. JFS states in the BIA that the purpose of the rule is to ensure that youth, beginning at the age of 14, are given the opportunity and time to learn life skills needed after they are emancipated. Additionally, incorporating the review of credit reports allows children to learn about finances.

JFS stated that they reached out to numerous stakeholders during the early stakeholder outreach process and requested feedback on the draft rules. Five comments were received and primarily addressed term change requests and clarifications. In addition, one commenter asked if the new amendment was in conflict with another provision in the OAC and JFS clarified that it was not. Ultimately, JFS decided to adopt many of the term and clarification requests based upon the aforementioned feedback. No public comments were received during the CSI public comment period.

The rule affects the 28 PCPAs in the state. The rule will require time and money to provide the services to youth specifically to do the life skills assessment for each child after the age of fourteen. In addition, there will be costs associated to develop independent living plans and to request credit reports, provide training to caregivers, and develop a final transition plan for the child when he or she is ready to be emancipated from custody. JFS contends in the BIA that the regulatory intent of the rule outweighs any adverse impact because the agency must implement the program according to federal law and ensure that youths are properly prepared for emancipated life.

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 Ohio Department of Job and Family Services should proceed with the formal filing of this rule package with the Joint Committee on Agency Rule Review.