

**MEMORANDUM**

**TO:** Trudy Rammon, Ohio Department of Job and Family Services

**FROM:** Christopher Smyke, Regulatory Policy Advocate

**DATE:** November 2, 2018

**RE:** **CSI Review – Requirements for the Provision of Independent Living Services to Youth in Custody (OAC 5101:2-42-19)**

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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) 107.54, CSI has reviewed the abovementioned administrative rules and associated Business Impact Analysis (BIA). This memo represents CSI's comments to the Agency as provided for in ORC 107.54.

**Analysis**

On October 18, 2018 the Ohio Department of Job and Family Services (ODJFS) submitted a draft rule package consisting of one amended rule to the CSI Office for its statutorily-required five-year review. The official public comment period closed on October 25, 2018 with no comments submitted.

Ohio Administrative Code (OAC) 5101:2-42-19 establishes the requirements for public children services agencies (PCSAs) and private child placing agencies (PCPAs) to prepare youth for transition from agency custody to self-sufficiency. The rule is being amended to implement parts of the federal Family First Prevention Services Act, as well as clarify services and make minor grammatical corrections.

ODJFS conducted its early clearance process for OAC 5101:2-42-19 from September 26, 2018 to October 10, 2018 which was directed toward the Public Children Service Agency Organization (PCSAO), county workers, and the Ohio Youth Advocate Board. No comments were received either during the clearance process or during the CSI public comment period.

The impacted business community includes PCPAs operating in Ohio. The rule directs PCPAs to provide services such as procuring a birth certificate, letter verifying youth in custody, social security card, health history, and education records as well as creating a transition plan for youth and reporting information on the state automated child welfare information system. These impacts are administrative in nature, and the cost varies based on the agency's business model.

The BIA justifies the rule as necessary to ensure the safety of children in substitute care, as they prepare for self-sufficiency. In addition, updates are necessary to align with changes in federal law. Following review of the draft rule and BIA, it has been determined that the standards espoused by the CSI Office have been met, and the adverse impacts of the draft rule is justified.

### **Recommendations**

For the reasons discussed above, the CSI Office does not have any recommendations for 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.

CC: Emily Kaylor, Lt. Governor's Office