



Common Sense Initiative

Mike DeWine, Governor
Jon Husted, Lt. Governor

Sean McCullough, Director

MEMORANDUM

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

FROM: Jacob Ritzenthaler, Business Advocate

DATE: December 27, 2021

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

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 amended rule proposed by the Ohio Department of Job and Family Services (ODJFS). This rule package was submitted to the CSI Office on December 6, 2021, and the public comment period was held open through December 13, 2021. Unless otherwise noted below, this recommendation reflects the version of the proposed rule filed with the CSI Office on December 6, 2021.

Ohio Administrative Code 5101:2-42-19 establishes requirements for the provision of independent living services to youths in custody of public children services agencies and private child placing agencies. The rule sets forth procedures for assessing the applicable services provided for individuals in custody, developing independent living plans, and providing independent living services training opportunities. The rule is amended to remove the requirement for independent living plans to be written and to require the plans to be electronically entered into the Statewide Automated Child Welfare and Information System. These changes were made as a result of research conducted for the CSI regulatory reform project using an artificial intelligence software tool.

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During the CSI public comment period, ODJFS sent the rules to interested parties for feedback. No comments were received during that time.

The business community impacted by the rule includes 25 private child placing agencies. The adverse impact created by the rule includes the requirements for agencies to make assessments, create independent living plans, and maintain proper records. ODJFS states that the adverse impact is necessary to ensure the safety of youths in agency custody and to prepare them for the transition from custodial care to self-sufficiency.

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