

**PUBLIC HEARING NOTICE
OHIO DEPARTMENT OF JOB AND FAMILY SERVICES**

DATE: 9/16/20

TIME: 10am

LOCATION: Teleconference

Due to COVID-19 precautions this meeting will be held by teleconference. If you would like to submit oral testimony, please call in at the above date and time to 1-614-721-2972. Then enter the meeting I.D. which is 231 346 51#. Written testimony may also be submitted electronically to rules@jfs.ohio.gov.

In accordance with Public Law 115-123, the Family First Prevention Services Act (FFPSA) made changes to title IV-B and IV-E of the Social Security Act, for a specific category of a non-foster family home setting, the Qualified residential treatment program (QRTP) placements. Rules are being amended and rescinded as new to outline requirements for submitting a cost report for the QRTP programs certified after October 1, 2020. These rules will become effective October 31, 2020.

OAC rule 5101:2-47-10 entitled "**Reimbursement for Title IV-E foster care maintenance (FCM) costs for a foster home.**" This new rule was created to outline the cost report filing requirement for a foster home. This is a new rule was created to include the language regarding the requirements for a foster home that was in rule 5101:2-47-11 that is being rescinded. The requirements for a foster home agency to file a cost report remains unchanged.

OAC rule 5101:2-47-11 entitled "**Reimbursement for Title IV-E foster care maintenance (FCM) costs for children's residential centers (CRC), group homes, maternity homes, residential parenting facilities, private foster homes, and substance use disorder (SUD) residential facilities.**" The rule is being rescinded and replaced with a new rule under the same number. Language pertaining to foster homes has been removed from this rule and added to a new rule 5101:2-47-10. This rule outlined the cost report requirements for a children's residential center certified prior to October 1, 2020. The replacement rule no longer includes language regarding foster home cost report requirements since foster homes. Foster homes are not certified as Qualified Residential Treatment Programs as part of the Family First Prevention Services Act of 2018.

OAC rule 5101:2-47-11 entitled "**Reimbursement for Title IV-E Foster Care Maintenance (FCM) costs for children's residential centers (CRC), group homes, maternity homes, residential parenting facilities, private foster homes, and a substance use disorder (SUD) residential facility certified prior to October 1, 2020.**" This rule outlines the cost report requirements for a children's residential center

certified prior to October 1, 2020. This rule replaces a rule of the same number that no longer includes language regarding foster home cost report requirements and does not include language for QRTP certified after October 1, 2020. Foster homes are not considered Qualified Residential Treatment Program as part of the Family First Prevention Services Act of 2018.

OAC rule 5101:2-47-11.1 entitled "**Reimbursement for Title IV-E foster care maintenance (FCM) costs for Qualified Residential Treatment Program (QRTP) certified after October 1, 2020.**" This rule outlines the cost report requirements for a Qualified Residential Treatment Programs (QRTP) certified after October 1, 2020 as part of the Family First Prevention Services Act of 2018.

OAC rule 5101:2-46-16 entitled "**Title IV-E foster care maintenance (FCM) program: Reimbursable placement settings.**" This rule outlines the requirements for placement settings that are eligible for foster care maintenance reimbursement. The rule is being amended to include a Qualified Residential Treatment Program (QRTP) as defined in rule 5101:2-9-42 of the Administrative Code.

OAC rule 5101:2-47-26 entitled "**Title IV-E agencies, private child placing agencies (PCPA), private noncustodial agencies (PNA), Qualified Residential Treatment Program (QRTP), residential care facilities, substance use disorder (SUD) residential facilities: penalties for failure to comply with fiscal accountability procedures.**" This rule outlines the penalties that can be enacted if an identified agency fails to comply with ODJFS fiscal accountability procedures. The rule is being amended to include a Qualified Residential Treatment Program (QRTP) as defined in rule 5101:2-9-42 of the Administrative Code.

OAC rule 5101:2-47-26.1 entitled "**Title IV-E Agencies, private child placing agencies (PCPA), private noncustodial agencies (PNA), qualified residential treatment programs (QRTP), residential care facilities, substance use disorder (SUD) Residential Facilities: Title IV-E Cost Report Filing Requirements, Record Retention Requirements and Related Party Disclosure Requirements.**" This rule clarifies the cost report filing requirements, the deadlines for filing the cost report, and record retention requirements. The rule is being amended to include a Qualified Residential Treatment Program (QRTP) as defined in rule 5101:2-9-42 of the Administrative Code.

OAC rule 5101:2-47-26.2 entitled "**Cost report "Agreed Upon Procedures" Engagement.**" This rule outlines the requirements for a private child placing agency (PCPA), a private noncustodial agency (PNA), residential care facility, or SUD residential facility that completes a JFS 02911 JFS "Title IV-E Single Cost Report" to have an annual JFS 02913 "Title IV-E Agreed Upon Procedures Engagement" conducted for its cost report." The rule is being amended to include a Qualified Residential Treatment Program (QRTP) as defined in rule 5101:2-9-42 of the Administrative Code.

INSTRUCTION:

A copy of the proposed rules is available, without charge, to any person affected by the rules at the address listed below. The rules are also available on the internet at <http://www.registerofohio.state.oh.us/>. A public hearing on the proposed rules will be held at the date, time and location listed at the top of this notice. Either written or oral testimony will be taken at the public hearing. Additionally, written comments submitted or postmarked no later than the date of the public hearing will be treated as testimony.

Requests for a copy of the proposed rules or comments on the rules should be submitted by mail to the Ohio Department of Job and Family Services, Office of Legal and Acquisition Services, 30 East Broad Street, 31st Floor, Columbus, Ohio 43215, by fax at (614) 752-8289, or by e-mail at rules@jfs.ohio.gov.