

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 5101:2-36-10

Rule Type: Amendment

Rule Title/Tagline: PCSA requirements for responding to family in need of services reports.

Agency Name: Department of Job and Family Services

Division: Division of Social Services

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I. Rule Summary

1. **Is this a five year rule review?** Yes
 - A. **What is the rule's five year review date?** 5/31/2024
2. **Is this rule the result of recent legislation?** No
3. **What statute is this rule being promulgated under?** 119.03
4. **What statute(s) grant rule writing authority?** 5153.166
5. **What statute(s) does the rule implement or amplify?** 5153.16
6. **What are the reasons for proposing the rule?**

Five-year rule review.
7. **Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.**

This rule outlines the procedures when providing services to a child and family after receiving a family in need of services (FINS) report. This rule has been amended to change references to the case record and SACWIS to Ohio's comprehensive child welfare information system (CWIS). The subcategory language was revised to align with practice and Ohio's CCWIS functionality.

8. **Does the rule incorporate material by reference? Yes**
9. **If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.75, please explain the basis for the exemption and how an individual can find the referenced material.**

This rule incorporates one or more references to another rule or rules of the Ohio Administrative Code. This question is not applicable to any incorporation by reference to another OAC rule because such reference is exempt from compliance with RC121.71 to 121.74 pursuant to RC 121.75 (A)(1)(d).

This rule also incorporates one or more references to the Ohio Revised Code. This question is not applicable to any incorporation by reference to the Ohio Revised Code because such reference is exempt from compliance with RC 121.71 to 121.74 pursuant to RC 121.75(A)(1)(a).

This rule incorporates one or more references to a form or a digital application into which data is entered. This question is not applicable to any incorporation by reference to forms or digital data applications because such reference is exempt from compliance with RC 121.75 to 121.74 pursuant to RC 121.75 (B) (4).

10. **If revising or re-filing the rule, please indicate the changes made in the revised or re-filed version of the rule.**

Not Applicable

II. Fiscal Analysis

11. **Please estimate the increase / decrease in the agency's revenues or expenditures in the current biennium due to this rule.**

This will have no impact on revenues or expenditures.

\$0.00

Not Applicable

12. **What are the estimated costs of compliance for all persons and/or organizations directly affected by the rule?**

No new costs.

13. Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No
14. Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No
15. If the rule imposes a regulation fee, explain how the fee directly relates to your agency's cost in regulating the individual or business.

Not Applicable

III. Common Sense Initiative (CSI) Questions

16. Was this rule filed with the Common Sense Initiative Office? No
17. Does this rule have an adverse impact on business? No
 - A. Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? No
 - B. Does this rule impose a criminal penalty, a civil penalty, or another sanction, or create a cause of action, for failure to comply with its terms? No
 - C. Does this rule require specific expenditures or the report of information as a condition of compliance? No
 - D. Is it likely that the rule will directly reduce the revenue or increase the expenses of the lines of business of which it will apply or applies? No

IV. Regulatory Restrictions (This section only applies to agencies indicated in R.C. 121.95 (A))

18. Are you adding a new or removing an existing regulatory restriction as defined in R.C. 121.95? Yes
 - A. How many new regulatory restrictions do you propose adding to this rule? 0
 - B. How many existing regulatory restrictions do you propose removing from this rule? 9

5101:2-36-10 (A) A public children services agency (PCSA) shall provide services to a child and family for the following screened in "Family In Need of Services" reports:

5101:2-36-10 (B) The PCSA shall follow the procedures and provide the services identified for each family in need of services subcategory as follows:

5101:2-36-10 (B)(8) The PCSA shall provide or arrange services to support, maintain, and assist an adopted child, adoptive family, or birth parent anytime after finalization of an adoption.

5101:2-36-10 (B)(10) The PCSA shall provide services aimed at preventing child abuse and neglect which have been requested by the parent, guardian, or custodian for the family if there are no current allegations of child abuse, neglect, or dependency.

5101:2-36-10 (B)(13) The PCSA shall complete an assessment to identify the need for services designed to promote child safety, permanency, and well-being for a child determined to be unruly or delinquent.

5101:2-36-10 (C) Completion of the "Comprehensive Assessment Planning Model - I.S., Safety Assessment" is required for family in need of services, stranger danger investigations.

5101:2-36-10 (D) Except as provided in paragraph (E) of this rule, completion of the "Comprehensive Assessment Planning Model - I.S., Family Assessment" is required for all family in need of services reports transferred for ongoing or prevention services prior to the completion of the "Family Case Plan" pursuant to rule 5101:2-38-01, 5101:2-38-05 or 5101:2-38-20 or the completion of the "Prevention Services Plan" pursuant to rule 5101:2-40-05 of the Administrative Code.

5101:2-36-10 (E) The following family in need of services report subcategories do not require the completion of a "Comprehensive Assessment Planning Model - I.S., Family Assessment" prior to the completion of the "Family Case Plan":

5101:2-36-10 (B)(15) The PCSA shall complete an assessment to identify the need for services

designed to promote child safety, permanency, and well-being for a child determined to be unruly or delinquent.

- C. If you are not removing existing regulatory restrictions from this rule, please list the rule number(s) from which you are removing restrictions.**