

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 5101:2-42-06

**Rule Type:** Amendment

**Rule Title/Tagline:** "Agreement for Temporary Custody of Child" (JFS 01645).

**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?** 8/13/2018
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?** 5103.15, 5153.16
5. **What statute(s) does the rule implement or amplify?** 5103.15, 5153.16
6. **What are the reasons for proposing the rule?**

This rule is being proposed to meet the Five year rule review and this rule has the statutory authority and the rule amplification statutes have been updated.

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

This rule provides the guidance on an agreement for temporary custody of a child is created with a public children service agency or private child placing agency for a specified time period.

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. 121.71 to 121.76, please explain the basis for the exemption and how an individual can find the referenced material.**  
# This rule incorporates one or more dated references to an ODJFS form or forms. Each cited ODJFS form is dated and is generally available to persons affected by this rule via the inner-web at <http://innerapp.odjfs.state.oh.us/forms/inner.asp> or on the inter-net at <http://www.odjfs.state.oh.us/forms/inter.asp> in accordance with RC 121.75(E).
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. **As a result of this proposed rule, please estimate the increase / decrease in revenues or expenditures affecting this agency, or the state generally, in the current biennium or future years. If the proposed rule is likely to have a different fiscal effect in future years, please describe the expected difference and operation.**

This will have no impact on revenues or expenditures.

0.00

No fiscal effects expected on current or future budgets.

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**

## **III. Common Sense Initiative (CSI) Questions**

15. **Was this rule filed with the Common Sense Initiative Office? Yes**

**16. Does this rule have an adverse impact on business? Yes**

- A. Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? Yes**

A license is required to authorize the agency in the ability to take custody of children adjudicated abused, neglected or dependent.

- 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? Yes**

License will be revoked and the ability to practice any further will be terminated.

- C. Does this rule require specific expenditures or the report of information as a condition of compliance? Yes**

All process are to be recorded for hte ability to file federal and state reports.