

Rule Summary and Fiscal Analysis (Part A)**Department of Job and Family Services**

Agency Name

Division of Social Services

Division

Michael Lynch

Contact

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5101:2-49-05

Rule Number

NEW

TYPE of rule filing

Rule Title/Tag Line

Determination of the adoption assistance monthly payment amount.**RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **No**

2. Are you proposing this rule as a result of recent legislation? **No**

3. Statute prescribing the procedure in accordance with the agency is required to adopt the rule: **119.03**

4. Statute(s) authorizing agency to adopt the rule: **5101.141, 5103.03, 5153.16**

5. Statute(s) the rule, as filed, amplifies or implements: **5101.11, 5101.141, 5103.03, 5153.16**

6. State the reason(s) for proposing (i.e., why are you filing,) this rule:

This rule is replacing rescinded rule 5101:2-49-05, which is proposed to be rescinded because of the five-year review.

7. If the rule is an AMENDMENT, then summarize the changes and the content

of the proposed rule; If the rule type is RESCISSION, NEW or NO CHANGE, then summarize the content of the rule:

This rule sets forth the requirements for determining the adoption assistance monthly payment amount for children that are determined to be eligible for the adoption assistance program.

8. If the rule incorporates a text or other material by reference and the agency claims the incorporation by reference is exempt from compliance with sections 121.71 to 121.74 of the Revised Code because the text or other material is **generally available** to persons who reasonably can be expected to be affected by the rule, provide an explanation of how the text or other material is generally available to those persons:

This rule 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 121.76(A)(1).

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 RC 121.71 to 121.74 pursuant to RC 121.76(A)(3).

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).

9. If the rule incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material electronically, provide an explanation of why filing the text or other material electronically was infeasible:

Not Applicable.

10. If the rule is being **rescinded** and incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material, provide an explanation of why filing the text or other material was infeasible:

Not Applicable.

11. If **revising** or **refiling** this rule, identify changes made from the previously filed version of this rule; if none, please state so. If applicable, indicate each specific paragraph of the rule that has been modified:

Not Applicable.

12. 119.032 Rule Review Date:

(If the rule is not exempt and you answered NO to question No. 1, provide the scheduled review date. If you answered YES to No. 1, the review date for this rule is the filing date.)

NOTE: If the rule is not exempt at the time of final filing, two dates are required: the current review date plus a date not to exceed 5 years from the effective date for Amended rules or a date not to exceed 5 years from the review date for No Change rules.

FISCAL ANALYSIS

13. Estimate the total amount by which *this proposed rule* would **increase / decrease** either **revenues / expenditures** for the agency during the current biennium (in dollars): Explain the net impact of the proposed changes to the budget of your agency/department.

This will have no impact on revenues or expenditures.

\$0.00

No impact on current budget.

14. Identify the appropriation (by line item etc.) that authorizes each expenditure necessitated by the proposed rule:

Not Applicable.

15. Provide a summary of the estimated cost of compliance with the rule to all directly affected persons. When appropriate, please include the source for your information/estimated costs, e.g. industry, CFR, internal/agency:

No new costs.

16. Does this rule have a fiscal effect on school districts, counties, townships, or municipal corporations? **No**

17. Does this rule deal with environmental protection or contain a component dealing with environmental protection as defined in R. C. 121.39? **No**

S.B. 2 (129th General Assembly) Questions

18. Has this rule been filed with the Common Sense Initiative Office pursuant to R.C. 121.82? **No**

19. Specific to this rule, answer the following:

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**

Ohio Department of Job and Family Services
ADOPTION ASSISTANCE STATE MEDIATION CONFERENCE REQUEST

Name of Adoptive Parent(s) (Last, First, Middle)		County Agency Responsible for AA agreement	
Street Address		Child's Name	
City, State and Zip Code		Date of Adoptive Placement	
Initial Negotiations Started			
<p>This request for an Adoption Assistance State Mediation Conference is in relation to the action (or lack of action) by the _____ . I would like to request an Adoption Assistance state mediation conference because:</p>			
Signature		Telephone Number	Date

The Adoption Assistance State Mediation Conference can only be requested if the adoptive parent(s) and the agency responsible for the Adoption Assistance Agreement cannot mutually agree on an Adoption Assistance monthly amount for the child listed above, after negotiating for at least 30 calendar days from the start of negotiation, pursuant to Ohio Administrative Code 5101:2-49-05.

Distribution: Original to the Ohio Department of Job and Family Services, Bureau of State Hearings, P.O. Box 182825, Columbus, Ohio 43218-2825, one copy to local agency.

Ohio Department of Job and Family Services
**WAIVER REQUEST TO EXCEED THE TITLE IV-E ADOPTION ASSISTANCE
 STATEWIDE MAXIMUM**

(To Be Completed by the Public Children Service Agency (PCSA))

SECTION I: CHILD'S INFORMATION	
Name of Adoptive Child <i>(First, Middle, Last)</i>	Date of Birth <i>(mm/dd/yyyy)</i>
SACWIS Person ID	Adoptive Parent(s) Name <i>(First, Middle, Last)</i>
Special Need of Child	
Type of Setting Last Placed in Prior to Adoption	Current FCM Rate
Adoption Assistance Amount Negotiated	Amount Agency Agrees to Pay Above the Statewide Maximum
Reason for Waiver Request	
Section II: AGENCY INFORMATION	
Agency Name	
Agency Representative	Agency Representative Phone Number
Agency Representative Signature	
SECTION III: STATE USE ONLY	
Current Statewide Maximum	Amount Above Current Statewide Maximum
Approval	Denial
Received Date	Approved/Denied Date
Signature	