

PUBLIC HEARING NOTICE
OHIO DEPARTMENT OF JOB AND FAMILY SERVICES

DATE: February 24, 2011
TIME: 10:00 a.m.
LOCATION: Room 3110B, Rhodes State Office Tower
30 East Broad St., Columbus, Ohio 43215

Pursuant to Chapters 5104. and 119. of the Ohio Revised Code, the director of the Ohio Department of Job and Family Services gives notice of the department's intent to consider the amendment of the rules as identified below and of a public hearing thereon. These rules are being proposed for amendment to implement the electronic child care module of the statewide automated child care eligibility, authorization and payment system.

Rule 5101:2-16-01 entitled "Definitions for eligibility for publicly funded child care benefits" is being proposed for amendment to update and clarify policies regarding the payment of publicly funded child care. This rule sets forth definitions for publicly funded child care. Changes to the rule include adding new definitions for "back swipe period" and "point of service," removing definitions for "full-time week" and "part-time week" and clarifying language.

Rule 5101:2-16-07 entitled "County department of job and family services administrative responsibilities for determining eligibility for publicly funded child care benefits" is being proposed for amendment to update and clarify policies regarding the payment of publicly funded child care. This rule sets forth the county department of job and family services duties in administering publicly funded child care benefits to families. Changes to the rule include clarifying language, revising form dates, adding language for implementation of the electronic child care attendance system and removing the appendix.

Rule 5101:2-16-30 entitled "Eligibility requirements for receipt of publicly funded child care benefits" is being proposed for amendment to update and clarify policies regarding the payment of publicly funded child care. This rule sets forth eligibility criteria for publicly funded child care. Changes to the rule include defining categories of authorization, adding hospital records as acceptable documentation for a birth record and clarifying language.

Rule 5101:2-16-34 entitled "Income eligibility requirements for publicly funded child care benefits" is being proposed for amendment to update and clarify policies regarding the payment of publicly funded child care. This rule sets forth income eligibility requirements for publicly funded child care. Minor language clarifications and deletion of a form reference have been made.

Rule 5101:2-16-35 entitled "Determination of eligibility for publicly funded child care by the county department of job and family services (CDJFS)" is being proposed for amendment to update and clarify policies regarding the payment of publicly funded child care. This rule sets forth the duties of the county department of job and family services for determining eligibility for publicly funded child care. Changes to the rule include amending the title, adding misuse of the child care electronic swipe card as a termination

reason and clarifying language. Language regarding the caretaker's application responsibilities for has been moved to a new rule, 5101:2-16-35.1.

Rule 5101:2-16-35.1 entitled "Caretaker eligibility requirements for publicly funded child care " is a new rule being proposed for adoption to update and clarify policies regarding the payment of publicly funded child care. This rule sets forth the caretaker's eligibility requirements for publicly funded child care. This is a new rule that incorporates language deleted from rule 5101:2-16-35, adds direction for authorizing a child to no more than two providers in a week and requires the caretaker to use the electronic swipe card to record a child's time and attendance with the provider.

Rule 5101:2-16-39 entitled "Copayment for publicly funded child care benefits" is being proposed for amendment to update and clarify policies regarding the payment of publicly funded child care. This rule sets forth the copayment requirement for publicly funded child care. Changes to the rule require that the copayment be distributed among all children and changes to the copayment at the time of redetermination will be effective at the beginning of the next eligibility period. A change was made to the revision date of a form, the copayment chart was changed to reflect the amounts of weekly copayments and the copayment calendar was removed.

Rule 5101:2-16-41 entitled "Payment rates for providers of publicly funded child care" is being proposed for amendment to update and clarify policies regarding the payment of publicly funded child care. This rule sets forth payment rates to providers of publicly funded child care. Changes to the rule include revising the title, defining full-time care for all providers to be up to sixty hours per week, specifying dates for the use of summer school-age payment rates, clarifying language for payments to in-home aides, adding two holidays for which non-traditional hours may be claimed and revising the title of the appendix.

Rule 5101:2-16-42 entitled "Payment waivers for children with special needs " is being proposed for amendment to update and clarify policies regarding the payment of publicly funded child care. This rule sets forth the process for application for a waiver of the payment rate for providers who care for children with special needs. Changes to the rule include revising the title, changing the revision date of a form and removing the responsibility for this process from the county department of job and family services to the Ohio Department of Job and Family Services (ODJFS) as ODJFS is making payments to providers.

Rule 5101:2-16-55 entitled "Use of the JFS 01140 'Temporary voucher for publicly funded child care services'" is being proposed for amendment to update and clarify policies regarding the payment of publicly funded child care. This rule sets forth the use of the JFS 01140 "Temporary Voucher for Publicly Funded Child Care Services." Changes to the rule include revising the date of a form and clarifying language.

Rule 5101:2-16-71 entitled "Child Care Improper Payments" is being proposed for amendment to update and clarify policies regarding the payment of publicly funded child care. The rule sets forth requirements for the administration of child care improper payments. Changes to the rule include updating a form revision date and clarifying language for the identification and collection of child care overpayments from caretakers and child care providers.

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 Services, 30 East Broad Street, 31st Floor, Columbus, Ohio 43215-3414, by fax at (614) 752-8298, or by e-mail at rules@jfs.ohio.gov.