

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

**DATE:** August 7, 2024  
**TIME:** 10:00 a.m.  
**LOCATION:** Teleconference and in-person, DCY 35E, room 7B  
246 N. High Street  
Columbus, Ohio 43215

This meeting will be held by teleconference and in person. If you would like to submit oral testimony, please attend the meeting site location, or call in at the date and time to 1-614-721-2972. Then enter the meeting I.D # which is 449 427 724#. Written testimony may also be submitted electronically to: [rules@jfs.ohio.gov](mailto:rules@jfs.ohio.gov).

Pursuant to section 5101.141 and Chapter 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. All rules have been amended to remove regulatory restrictive words as described in SB 9 of the 135<sup>th</sup> General Assembly. All rules were amended to change the reference of all systems to Ohio's Comprehensive Child Welfare Information System (Ohio's CCWIS). Ohio's CCWIS is defined as a federally recognized case management information system that state and tribal title IV-E agencies may develop to support their child welfare program needs. Ohio's CCWIS is designed to support social workers' needs to organize and record quality case information about the children and families receiving child welfare services. Ohio's CCWIS consists of several automated functions which are approved by the Children's Bureau and include but are not limited to: Ohio Statewide Automated Child Welfare Information System (SACWIS), Ohio Residential Treatment Information System (RTIS), Child and Adult Protective Services (CAPS) Learning Management System (LMS), Taking Early Action Matters (TEAM) Ohio, and Ohio Certification for Agencies and Families (OCAF). These rules are being filed as part of the five-year rule review process.

All rules have been amended to replace "Ohio Department of Job and Family Services (ODJFS)" with "the department of children and youth (DCY)." Ohio Department of Job and Family Services (ODJFS) has been stricken from form titles and retitled "Department of Children and Youth."

In accordance with Ohio Revised Code (ORC) section 106.03, each state agency is required to review its rules a minimum of once every five years. The intent of the law is to ensure that rules are clearly written and that program requirements are accurate, up-to-date, and clearly expressed. To the extent possible, unnecessary paperwork will be eliminated, and local agencies will be given increased flexibility. The purpose of a rule review is to determine whether a rule should be continued without amendment, be amended, or be rescinded, taking into consideration each rule's scope and purpose.

OAC rule 5101:2-49-04 entitled "**Requirement for Title IV-E Adoption Assistance (AA) Past Age Eighteen**" outlines the requirements for AA for children with an existing adoption assistance agreement that are eighteen to twenty-one years of age. To be eligible for adoption assistance

beyond age eighteen, the child must have a documented physical/mental disability or medical condition that is verified annually by a culturally competent qualified professional. The title to the rule was changed for program specification. Paragraph (B) was amended to provide program eligibility age clarification requirements. Language was included in the rule, paragraph (B)(3)(a) and (B)(5), to speak to a child's individual plan of employment (IPE) and the implementation of an individual service plan (ISP). New language was included in paragraph (D)(2) when amending an AA agreement with no payment. Clarification was added in paragraphs (D)(3)(a) through (D)(3)(b)(iii) in the rule when the adoptive parent(s) requests an amendment to the AA agreement and after a termination notice has been issued by the public children services agency (PCSA).

OAC rule 5101:2-49-09 entitled "**Title IV-E Adoption Assistance (AA) Post-Finalization Application**" outlines the criteria for determining AA eligibility and entering into an AA agreement after the adoption finalization. An application must be signed and included in the AA case record or adoption case file, even if subsidy is declined. Language included in paragraph (A) that an AA application can be submitted after finalization, one time, if prior to the finalization of adoption, the AA agreement was not executed due to one of the following (1) relevant facts were not present or (2) adoptive parent(s) was not aware of AA subsidy as indicated in the JFS 01667 "**Adoption Information Disclosure.**" Inclusion of PCSA and PCPA disclosure requirement in paragraph (B) to align with adoption rules in chapter 5101:2-48. Paragraph (C) provides special needs eligibility requirements for post-finalization. AA payment effective date clarification in paragraph (H). New language was in paragraph (I) for children in an independent adoption eligibility requirement. The rule has been amended to remove the revision date from the form(s) referenced in the rule.

OAC rule 5101:2-49-09.1 entitled "**Title IV-E Adoption Assistance (AA) Retroactive Payment Process**" outlines the process for retroactive AA payments. Correction made in paragraph (C) regarding paragraph reference in rule 5101:2-49-05 of the Administrative Code. Paragraph reference changed from paragraph (H) to (K). There are minor edits throughout the rule were made to provide clarification. The rule has been amended to remove the revision date from the form(s) referenced in the rule.

OAC rule 5101:2-49-12 entitled "**Amendment of the Title IV-E Adoption Assistance (AA) Agreement**" outlines criteria to amend an AA agreement. New language included in paragraph (C) documenting the prognosis and recommendations from a culturally competent qualified professional of the child's physical/mental disability or medical condition in the last twelve months for future treatment needs. Paragraph (D), the JFS 01452 "**Notice of Adverse Action for Title IV-E Adoption Assistance (AA)**" is to be completed when an amendment is being requested. New language was added in paragraph (G) regarding AA payments and third parties. The rule has been amended to remove the revision date from the form(s) referenced in the rule.

A copy of the proposed rule(s) is available, without charge, to any person affected by the rule(s) at the address listed below. The rule(s) is also available on the internet at <http://www.registerofohio.state.oh.us/>. A public hearing on the proposed rule(s) 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 rule(s) or comments on the rule(s) should be submitted by mail to the Ohio Department of Job and Family Services, Office of Legal and Acquisition Services, 30 East Broad Street, 31<sup>st</sup> Floor, Columbus, Ohio 43215-3414, by fax at (614) 752-8298, or by e-mail at [rules@jfs.ohio.gov](mailto:rules@jfs.ohio.gov).