

LEGAL NOTICE**STATE OF OHIO
DEPARTMENT OF JOB AND FAMILY SERVICES**

Pursuant to Section 5104 and Chapter 119. of the Ohio Revised Code, the director of the Department of Job and Family Services gives notice of the department's intent to consider the amendment of child care rules as identified below and of a public hearing thereon.

The amendment of these Chapter 5101:2-16 rules is due to changes to the Revised Code under Amended Substitute House Bill 40 of the 125th General Assembly, and policy clarifications.

Rule 5101-2-16-01 "Definitions" is amended as follows: the definition of "loco parentis" is clarified to include relatives, foster parents and step parents; the definition of "special needs" is added to the rule.

Rule 5101:2-16-30 "Publicly funded child care program requirements" is amended as follows: the composition of a family shall include a minor parent and child and an adult caretaker, including relatives, foster parents or step parents, when the minor parent and child are living with the adult caretaker; eligibility for child care benefits for children with special needs can no longer be determined solely on the special needs of the child, but is related to the employment, education or training of the caretaker.

Rule 5101-2-16-39 "Family copayment requirement" is amended as follows: the copayment is changed from a child-in-care copayment to a family copayment and is determined by using the revised "Child Care Copayment Table".

Rule 5101:2-16-41 "Reimbursement ceilings for child care providers" is amended as follows: the agency shall reimburse parent provider inspected (PPI) limited certified providers at a rate which is no more than sixty per cent of the reimbursement ceilings as listed in appendix A of this rule for professional certified providers.

Rule 5101:2-16-42 "Procedures for requesting reimbursement ceiling waivers" is amended as follows: the agency may request a waiver of its reimbursement ceiling up to twice the fees allowable when it is necessary to purchase child care services based on the documented special needs of a child, such as requiring a lower staff/child ratio or an adaptive environment.

A copy of the proposed rules is available, without charge, to any person affected by them at the address listed below. The rules are also available on the internet at <http://www.state.oh.us/odjfs/legal.htm>. A public hearing on the proposed rules will be held **at 10:00 A.M. on April 24, 2003** until all testimony is heard in Room **1865**, Rhodes State Office Tower, 30 E. Broad Street, Columbus, Ohio. Either written or verbal testimony on these rules will be taken at the public hearing. Additionally, written comments submitted or postmarked no later than **April 24, 2003** will be treated as testimony.

Requests for a copy of the proposed rules or comments on it should be submitted by mail to “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 “public_records@odjfs.state.oh.us.”