



Common Sense Initiative

Mike DeWine, *Governor*
Jon Husted, *Lt. Governor*

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Business Impact Analysis RESCINDED RULES

This form is intended for rules that are being permanently rescinded and not replaced by a new rule. New, Amended, No Change, and Rescind/New rules must use the standard BIA.

Agency, Board, or Commission Name: Ohio Department of Job and Family Services

Rule Contact Name and Contact Information: Mike Lynch Michael.Lynch@jfs.ohio.gov

Regulation/Package Title (a general description of the rules' substantive content):

State Adoption Assistance Loan Fund

Rule Number(s): 5101:2-44-14

Date of Submission for CSI Review: 12/21/23

Public Comment Period End Date: 12/28/23

Rule Type/Number of Rules:

Rescinded/ 1 rules (FYR? 8/1/2024)

The Common Sense Initiative is established in R.C. 107.61 to eliminate excessive and duplicative rules and regulations that stand in the way of job creation. Under the Common Sense Initiative, agencies must balance the critical objectives of regulations that have an adverse impact on business with the costs of compliance by the regulated parties. Agencies should promote transparency, responsiveness, predictability, and flexibility while developing regulations that are fair and easy to follow. Agencies should prioritize compliance over punishment, and to that end, should utilize plain language in the development of regulations.

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Reason for Submission

1. **R.C. 106.03 and 106.031 require agencies, when reviewing a rule, to determine whether the rule has an adverse impact on businesses as defined by R.C. 107.52. If the agency determines that it does, it must complete a business impact analysis and submit the rule for CSI review.**

Which adverse impact(s) to businesses has the agency determined the rule(s) create?

The rule(s):

- a. **Requires a license, permit, or any other prior authorization to engage in or operate a line of business.**
- b. **Imposes a criminal penalty, a civil penalty, or another sanction, or creates a cause of action for failure to comply with its terms.**
- c. **Requires specific expenditures or the report of information as a condition of compliance.**
- d. **Is likely to directly reduce the revenue or increase the expenses of the lines of business to which it will apply or applies.**

Regulatory Intent

2. **Please describe in plain language the regulation that is being rescinded.**

The State Adoption Assistance Loan Fund rule outlined the administration and eligibility requirements of the program. The rule also provided guidance on how the funds could be used.

3. **Why is the regulation being rescinded?**
Please be specific (ORC change, request of stakeholders, etc.)

As part of House Bill 33, Ohio Revised Codes 3107.018 and 5101.143 were repealed. These laws governed the administration of adoption assistance loans from the State Adoption Assistance Loan Fund.

4. **Please describe in general terms the adverse impacts to business, including currently impacted industries, in the existing rule(s).**

The loan fund was administered by financial institutions approved by the Ohio Department of Job and Family Services (ODJFS). Rescission of this rule removes the responsibility for setting repayment terms, collection of arrearages, and penalties of the selected financial institutions.

- 5. Are there other regulations (either existing or to be created) which will replace the regulation being rescinded or which will now apply because this regulation is being rescinded? This can include rules, statute, federal regulations, agency policies, or industry standards etc.**

OAC 113-7 provides for the Linked Deposit Program. This rule outlines the Family Forward loan program which is overseen by the Ohio State Treasurer's office. The Family Forward loan program allows for low interest rate loans for adoption related expenses. In addition to family forward loan, The Ohio Adoption Grant program provides financial grants to Ohio Adoptive Families that have adopted on or after January 1, 2023.

- 6. Does the rescission of this regulation eliminate flexibility or create more adverse impacts for stakeholders? If yes, please describe stakeholder outreach and justify the impacts.**

The rescission of the State Adoption Assistance Loan fund does not create adverse impact. Rescission only repeals statutory requirements addressing the loan.