

**MEMORANDUM**

TO: Michael Lynch, Ohio Department of Job and Family Services

FROM: Sophia Papadimos, Regulatory Policy Assistant

DATE: June 16, 2015

RE: **CSI Review – Child Care Center Rules (OAC 5101:2-12-04, 5101:2-12-11, 5101:2-12-14, 5101:2-12-15.1, 5101:2-12-18, 5101:2-12-18.1, 5101:2-12-18.2, 5101:2-12-19, 5101:2-12-26, 5101:2-12-30, 5101:2-12-33 and 5101:2-12-42)**

On behalf of Lt. Governor Mary Taylor, and pursuant to the authority granted to the Common Sense Initiative (CSI) Office under Ohio Revised Code (ORC) section 107.54, the CSI Office has reviewed the abovementioned administrative rule package and associated Business Impact Analysis (BIA). This memo represents the CSI Office's comments to the Agency as provided for in ORC 107.54.

Analysis

This rule package consists of twelve amended rules being proposed by the Ohio Department of Job and Family Services (ODJFS) pursuant to the five-year review requirement in statute. The rule package was submitted to the CSI Office on May 20, 2015 and the comment period was held open through May 27, 2015.

The proposed rules in this package regulate child care centers and explain the application process for provisional licenses. The rules also outline fire safety and outdoor playground requirements. Standard hygiene procedures are included in the draft rules, including hand washing and managing illnesses. If the provider plans to transport the children from the home or take them on a field trip, specific requirements pertaining to drivers and vehicles are outlined. Crib and cot requirements are also articulated in the draft rules. The rules are being amended for minor language changes. They will also now require providers to have certificates of compliance on file for any cribs manufactured before June 28, 2011. The rules are also being updated to require

criminal records checks every five years for providers.

The BIA submitted by the Department explains the adverse impacts in detail, including fees associated with licensing and fire and vehicle inspections. Other impacts include the cost of cribs/cots and employee training for communicable diseases. No comments were received during the public comment period. Therefore, after reviewing the rules and associated BIA, the CSI Office has determined the purpose of the rules is justified.

Recommendation

For the reasons explained above this office does not have any recommendations regarding this rule package.

Conclusion

Based on the above comments, the CSI Office concludes that the Department should proceed with the formal filing of this rule package with the Joint Committee on Agency Rule Review.

cc: Mark Hamlin, Lt. Governor's Office