



## Common Sense Initiative

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

**Carrie Kuruc**, Director

### MEMORANDUM

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

**FROM:** Jacob Ritzenthaler, Regulatory Policy Advocate

**DATE:** April 16, 2019

**RE:** **CSI Review – Interstate Placement of Children (OAC 5101:2-52-06 and 5101:2-52-08)**

---

On behalf of Lt. Governor Jon Husted, 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 two amended rules proposed by the Ohio Department of Job and Family Services (JFS) as part of the statutorily required five-year review requirements. JFS submitted the rule package to the CSI Office on March 6, 2019 and held the public comment period open through March 13, 2019. No comments were received during this time.

The rules in this package relate to interstate placement of children through adoption. Ohio Administrative Code (OAC) 5101:2-52-06 describes the requirements for interstate placement when a private child placing agency (PCPA), private noncustodial agency (PNA), or court system is receiving the child. The rule is being amended to remove language related to child placement that is no longer relevant in order to clarify the rule. OAC 5105:2-52-08 sets forth the requirements for parents, guardians, and agencies placing children in another state for adoption. The rule includes amendments that update the dates and references found within the rule.

During early stakeholder outreach, JFS reviewed the rules through its clearance process, which involved stakeholders from the industry. No comments were received during this time or during the

77 SOUTH HIGH STREET | 30TH FLOOR | COLUMBUS, OHIO 43215-6117

[CSIPublicComments@governor.ohio.gov](mailto:CSIPublicComments@governor.ohio.gov)

CSI public comment period.

The business community impacted by these rules includes all PCPAs and PNAs operating in Ohio. The adverse cost created by the rules includes the time and effort required to maintain compliance with the rules, which often comes in the form of submitting and ensuring the completion of appropriate forms. JFS states in the BIA that the rules ensure the safety of adopted children placed across state lines and maintain Ohio's compliance with the Interstate Compact on the Placement of Children.

### **Recommendations**

Based on the information above, the CSI Office has no recommendations on this rule package.

### **Conclusion**

The CSI Office concludes that the Ohio Department of Job and Family Services should proceed in filing the proposed rules with the Joint Committee on Agency Rule Review.