



Common Sense Initiative

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

Joseph Baker, *Director*

MEMORANDUM

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

FROM: Jacob Ritzenthaler, Business Advocate

DATE: January 12, 2024

RE: **CSI Review – State Adoption Assistance Loan Fund (OAC 5101:2-44-14)**

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 Department as provided for in ORC 107.54.

Analysis

This rule package consists of one rescinded rule proposed by the Ohio Department of Job and Family Services (ODJFS) as part of the statutorily required five-year review process. This rule package was submitted to the CSI Office on December 21, 2023, and the public comment period was held open through December 28, 2023. Unless otherwise noted below, this recommendation reflects the version of the proposed rule filed with the CSI Office on December 21, 2023.

Ohio Administrative Code 5101:2-44-14 establishes requirements for the administration of the State Adoption Assistance Loan Fund, as well as criteria for eligibility, documentation requirements, and uses for funds. The rule is proposed for rescission, as the authorizing statute was repealed.

During the CSI public comment period, ODJFS sent the proposed rule to industry stakeholders for feedback. No comments were received during that time.

The business community impacted by the rule includes the financial institutions approved by ODJFS to administer program funds. The adverse impacts created by the rule require financial institutions to set repayment terms and collect arrearages, as well as the creation of penalties for the violation of rule requirements. ODJFS states that the rescission of the rule is necessary, as the authorizing statute

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has been eliminated.

Recommendations

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

Conclusion

The CSI Office concludes that ODJFS should proceed in filing the proposed rule with the Joint Committee on Agency Rule Review.