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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

H.B. 65  
(1\_133\_0237-2)  
133<sup>rd</sup> General Assembly

## Fiscal Note & Local Impact Statement

[Click here for H.B. 65's Bill Analysis](#)

**Version:** In House Health

**Primary Sponsor:** Rep. Carfagna

**Local Impact Statement Procedure Required:** No

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### Highlights

- The Ohio Department of Job and Family Services (ODJFS) will experience minimal costs to promulgate rules to enforce the bill.

### Detailed Analysis

The bill requires child care providers licensed by ODJFS to provide notice to each caretaker parent of enrolled children within 15 days of ODJFS determining the provider's act or omission constituted a serious risk noncompliance (SRNC). If the provider requests a review of the decision, the provider must notify caretaker parents within five business days of receiving a final determination from ODJFS. The notice may be furnished in writing or electronically and must inform parents about the ODJFS website and specify where to find additional information. If any political subdivisions operate a child care center licensed by ODJFS, it may experience a minimal cost if required to provide the notice.

In FY 2018, ODJFS found 166 SRNCs in child care centers and 155 SRNC cases in Type A and B homes,<sup>1</sup> which are rule violations that may:

- Lead to the greatest risk of harm;
- Immediately endanger the health and safety of children while in care; or
- Potentially cause death.

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<sup>1</sup> Ohio Department of Job and Family Services. Office of Family Assistance. "Child Care Licensing Report." State Fiscal Year 2018. <http://jfs.ohio.gov/cdc/docs/2018AnnualCCLicensingReport.stm>.

The top three SRNC violations in FY 2018 for child care centers included: lacking supervision (75), not protecting children, resulting in serious incident/injury (18), and using a prohibited guidance or management technique that results in an abuse/neglect finding from a public children services agency (15). The top three SRNC violations in FY 2018 for Type A and B homes included failing to complete or update child abuse and neglect check for the provider (65), having alcohol within reach of children (19), and failing to complete or update child abuse and neglect check for employees (17).

The bill requires the ODJFS Director to adopt rules in order to enforce this section. It is not clear if all SRNCs will be grounds to require a provider to send the notice. ODJFS will experience a minimal increase in administrative costs to promulgate rules.

## **Synopsis of Fiscal Effect Changes**

The substitute bill (I\_133\_0237-2) reduces the time the child care provider has to notify parents of an SRNC determination from 30 days to 15 business days. In addition, the substitute bill specifies that the provider must furnish notice within five business days of receiving a final determination if the provider requested ODJFS to review the decision. The substitute bill also requires the notice be provided to each caretaker parent and must include information about the ODJFS website and indicate where additional information can be found. These changes will not pose an additional cost to the state or political subdivisions.