



Ohio Legislative Service Commission

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Fiscal Note & Local Impact Statement

Bill: [H.B. 446 of the 128th G.A.](#)

Date: May 12, 2010

Status: As Introduced

Sponsor: Rep. Harris

Local Impact Statement Procedure Required: No — Minimal cost

Contents: Requires any out-of-state placement setting for Ohio children who are abused, neglected, dependent, unruly, or delinquent children to comply with Ohio laws and administrative rules

State Fiscal Highlights

- The departments of Job and Family Services and Mental Health will incur costs to adopt the required rules and will likely incur costs to verify that out-of-state facilities are in compliance with Ohio laws and administrative rules and maintain a list of approved facilities.

Local Fiscal Highlights

- Local public children services agencies and courts may experience a minimal increase in costs to find suitable placement for a child if options are limited as a result of this bill.
- Placement costs may increase or decrease depending on the per diem rates of compliant facilities, the overall impact of which is likely to be minimal.

Detailed Fiscal Analysis

The bill requires an out-of-state agency, home, school, camp, institution, or other entity or residential facility (hereafter referred to collectively as "facilities") that receives Ohio children who are abused, neglected, dependent, unruly, or delinquent children to comply with the same standards that are applicable to the corresponding in-state facilities. The bill prohibits public money from being paid to an out-of-state facility if it is not in compliance with Ohio standards.

The bill requires the directors of Job and Family Services and Mental Health to jointly adopt rules that establish the following:

- (1) Procedures for periodically verifying that any of the above out-of-state facilities that receive an Ohio child for commitment or placement are in compliance with Ohio standards;
- (2) A list of the previously mentioned out-of-state facilities that are in compliance with Ohio standards;
- (3) Procedures for the removal of a child from any of the previously mentioned facilities that are not in compliance with Ohio standards;
- (4) Fees applicable to the previously mentioned facilities; and
- (5) Any other procedures or requirements necessary to implement the provisions of the bill.

The bill requires public and private entities responsible for placing a child in any of the previously mentioned out-of-state facilities to ensure that the child is sent to a facility that is listed as being in compliance with Ohio standards.

Fiscal effect

The departments of Job and Family Services and Mental Health will incur costs to adopt the required rules described above. Depending on the rules that are adopted, one or both departments will likely incur costs to verify that the facility is in compliance with Ohio standards and maintain a list of compliant facilities. The bill does not specify the purpose or use of the fees that are to be included in the rules, nor does it specify who is to collect the fees and where those fees are to be deposited. If those issues are addressed in the rules, it is possible that one or both departments will experience a gain in fee revenue, which may offset any increase in costs.

If the bill results in fewer options for placement than are currently available, local public children services agencies and courts may experience a minimal increase in costs to find a suitable placement for a child. In addition, placement costs may increase or decrease depending on the per diem rates of facilities that are listed as compliant with Ohio standards. The impact of any increase or decrease in placement costs on the child welfare system as a whole is likely to be minimal. Regardless of the facility chosen for

placement currently or under the bill, placement costs generally vary widely since children have different care needs and per diem rates vary depending on those needs.

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