



October 19, 2016

Robert E. Sembroski
Staff Attorney
Indiana Department of Child Services
302 West Washington Street, E306, MS47
Indianapolis, IN 46204

Dear Mr. Sembroski,

Pursuant to IC 4-22, the Indiana Economic Development Corporation (“IEDC”) has reviewed the economic impact analysis for small business associated with rule changes contained in LSA Document 16-216 proposed by the Indiana Department of Child Services (“DCS”). The proposed rule Adds 465 IAC 4 regarding the federal-state adoption assistance program (AAP) and related state funded adoption subsidy program (SAS), and regarding the federal-state kinship guardianship assistance program (GAP) and related state funded guardianship assistance program (SGAP). Establishes assistance eligibility requirements for the child beneficiary, adoptive parents, and legal guardians. Describes program benefits, including nonrecurring expenses of adoption or establishment of the guardianship, periodic payments, health insurance coverage, and availability of supporting services to the child and family. Provides procedure for determination of periodic payment amounts within applicable limits. Defines funding priorities for the adoption assistance account established by statute. Requires periodic status reports to the department during the term of the assistance agreement, and notice to the department of certain reportable events. Describes circumstances and procedures for suspension of periodic payments and termination of agreements before the child beneficiary becomes 18 years of age. Provides for continuation of periodic payments for a youth over 18 years of age under defined conditions. Provides for continuation of payments to successor guardians named in the assistance agreement. Makes technical amendments to update provisions in 465 IAC 2-7-4 and to eliminate or update some provisions of the current rules relating to the interstate compact on adoption and medical assistance (465 IAC 2-4) and current assisted guardianships that were funded through the state TANF block grant before July 2012 (465 IAC 2-8). Repeals 465 IAC 2-7-1, 465 IAC 2-7-2, 465 IAC 2-7-3, and 465 IAC 2-8-10. Effective 30 days after filing with the Publisher.

The economic impact statement prepared by DCS states, “DCS expects that nothing in this rule will impose additional cost on small business, no small businesses will be affected by this rule, there will be no new filing or record keeping fees for small businesses, no impact for compliance of small business to this rule, and due to the lack of impact DCS has not done a regulatory flexibility analysis.”

Based upon this analysis, the IEDC supports the proposed rule related to the economic impact to small business if the DCS’s conclusions reflect the actual result after promulgation. If you have any questions about the comments contained herein please contact me at 317.232.5679 or ombudsman@osbe.in.gov.

Regards,

Robert Warner