



OHIO FAMILY AND CHILDREN FIRST REGULATION FREE ZONE - WAIVER REQUEST

Overview of Waiver's Purpose and Intent

Local Family and Children First Councils may submit a written waiver request to the Ohio Family and Children First (OFCF) Cabinet Council for an exemption from specific state department rules per ORC 121.37(4)(b)ⁱ in order to implement a proposed innovative program or remove barriers to providing quality, seamless, coordinated services to Ohio families. The OFCF Cabinet Council does not have the authority to grant exemptions from state statute or federal rules or regulations. However, the OFCF Cabinet Council may offer an alternative approach(es) to the exemption request which would allow the same outcomes to be achieved. The Cabinet Council will examine the budget neutrality of rule waiver requests. The period of exemption shall not exceed the period during which the proposed innovative program is implemented, and a reasonable period thereafter to evaluate the effectiveness of the program. All waivers granted will be reviewed by the Ohio Family and Children First Cabinet Council after the evaluation period to determine if the waived rule should be considered for rescission, thereby benefiting all counties in the state.

Required Information for Waiver Request

The request shall include, but not be limited to, the following:

- Identification of the specific rule for which an exemption request is being made, including the state agency(ies) responsible for the rule(s), rule number, and effective date;
- Rationale for exemption request(s), including a description of the proposed “alternative program or approach for service delivery to families and children”;
- Specific period of time for which exemption(s) is requested;
- Description and number of population impacted by the exemption;
- Method to be used to measure impact of the exemption, on both the target population and the service system, including measurable outcomes, performance indicators, alternative use of funding if applicable, anticipated cost effectiveness, and/or other relevant indicators of impact;
- Specific timelines for implementation and evaluation;
- Assurance that the health and safety of the population would not be jeopardized by the approval of the exemption.
- The request may be submitted by the FCFC Coordinator/Director or Chair with an executive signature from each agency affected. The signature(s) do(es) not necessarily reflect agreement, but must acknowledge awareness of the submission. The decision to submit the request must also be

ⁱ 121.37(4)(b) On application of a county council, the cabinet council may grant an exemption from any rules or interagency agreements of a state department participating on the council if an exemption is necessary for the council to implement an alternative program or approach for service delivery to families and children. The application shall describe the proposed program or approach and specify the rules or interagency agreements from which an exemption is necessary. The cabinet council shall approve or disapprove the application in accordance with standards and procedures it shall adopt. If an application is approved, the exemption is effective only while the program or approach is being implemented, including a reasonable period during which the program or approach is being evaluated for effectiveness.

reflected in the county FCFC meeting minutes to indicate that the request has been discussed by all members present, and minutes must be included with the request.

Waiver Process

1. All exemption requests must be made in writing to the Ohio Family and Children First Cabinet Council by sending it to:

Angela Sausser Short, OFCF Director
c/o Ohio Family and Children First Cabinet Council
25 S. Front Street, Mail Stop 206
Columbus, OH 43215

2. Within five working days of receiving the request, the state will send notification that the request has been received. The request will then be forwarded to the appropriate state agency(ies) for their research and review. A copy will also be forwarded to the OFCF Cabinet Council.
3. Within five working days of receiving the request from the Ohio Family and Children First Office (OFCF), the responsible state agency(ies) may contact the county coordinator or other contact person to obtain further clarification of the request or additional information, which may alter the time line. When two or more responsible state agencies are identified, the state agencies will coordinate and consult with one another, whenever possible.
4. Within fifteen working days of receiving the request from the OFCF Office, the responsible state agency(ies) will submit its written recommendation to the waiver and documentation of consultation with the waiver applicant to the OFCF Office.
5. A decision memo will be prepared for Cabinet Council approval or disapproval. The decision to approve or disapprove the exemption will occur at the next regularly scheduled Cabinet Council meeting, which meets the third Monday of each month. If the request is time-limited, the OFCF Cabinet Council can make the decision to approval/disapproval the request via email.
6. If the request is not appropriate or it is determined that an exemption is not necessary to achieve the desired outcome, the county will be notified in writing and the necessary technical assistance will be provided. Additionally, the state agency may offer an alternative approach(es) to the exemption request which would allow the same outcomes to be achieved.
7. A notification letter to the county council will be sent, with a copy to the appropriate state agency(ies) within seven working days after the Cabinet Council's decision. If the exemption is not granted, reasons will be outlined in the notification. If the exemption is granted, the Cabinet Council has the authority to add conditions.
8. For exemptions that have been granted, the OFCF Deputy Directors will or assign a committee to review and evaluate the exemption to determine if the exemption should be granted to other counties and if the affected rule should be designated for rescission. The Deputy Directors will report their recommendations in writing to the OFCF Cabinet by the end of the six month period. Recommendations will then be forwarded for decision at the next available Cabinet Council meeting.

For exceptionally complex requests or requests involving more than one agency, this process or time line could be altered or negotiated. County councils will receive notification if time lines have been altered. All efforts will be made to respond in a timely manner.