

5101:2-44-09                    **Requirements for the state adoption special services subsidy program.**

~~(A) Applications for state adoption special services subsidies shall not be approved on or after July 1, 2004.~~

~~(B)~~(A) For state adoption special services subsidy approvals in effect before July 1, 2004, the public children services agency (PCSA) may, ~~at its option,~~ continue to provide the state adoption special services subsidy based upon the adoptive child's continued need for developmental, medical, or mental health services.

~~(C) The PCSA shall establish and maintain policy and procedures governing its state adoption special services subsidy program in accordance with section 5153.163 of the Revised Code. Such policy and procedures shall be consistent with Chapter 5101:2-44 of the Administrative Code, shall be part of the PCSA adoption policy prepared pursuant to rule 5101:2-48-05 of the Administrative Code, and shall indicate whether the PCSA continues to provide state adoption special services subsidies for those approvals in effect before July 1, 2004.~~

(B) If the PCSA elects to continue the state adoption special services subsidy program, as outlined in rule 5101:2-44-03 of the Administrative Code, for approvals in effect before July 1, 2004, the PCSA shall redetermine the state adoption special services subsidy under the following circumstances:

(1) Annually, or more often than annually upon written request of the adoptive parent.

(2) When the PCSA is aware of substantial changes in the adoptive family's economic resources or the adoptive child's special need(s).

~~(D) When the PCSA elects to continue the state adoption special services subsidy program for approvals in effect before July 1, 2004, the PCSA shall:~~

~~(1) Redetermine the state adoption special services subsidy annually, or more often than annually upon written request of the adoptive parent, or when the PCSA is aware of substantial changes in the adoptive family's economic resources or the adoptive child's special need(s). The following are necessary to redetermine or amend the state adoption special services subsidy:~~

~~(a) The PCSA shall provide the adoptive parent with written notice of the upcoming redetermination at least sixty calendar days prior to the anniversary date of the effective state adoption special services subsidy or most recent redetermination or amendment and provide the adoptive parent with the JFS 01681 "Applicant Financial Statement," and the ODHS 4059 "Explanation of State Hearing Procedures;"~~

~~(b) The adoptive parent must provide the PCSA with a completed and~~

updated JFS 01681 "Applicant Financial Statement;"

- ~~(c) The PCSA shall determine, from verification submitted by the adoptive parent, if the adoptive child continues to have a special need(s) and if the special need(s) is beyond the economic resources of the adoptive family;~~
  - ~~(d) The PCSA shall complete the JFS 01618 "Redetermination/Amendment of State Adoption Special Services Subsidy;" and,~~
  - ~~(e) The PCSA shall provide written notification to the adoptive parent of the redetermination outcome at least fifteen calendar days prior to the annual anniversary date of the initial state adoption special services subsidy or most recent redetermination, or within thirty calendar days of a request for an amendment.~~
- ~~(2) Suspend the state adoption special services subsidy when the adoptive parent fails to comply with the requirements of a redetermination as described in this rule.~~
  - ~~(3) Terminate the state adoption special services subsidy when six months have elapsed from the redetermination date and the adoptive parent still fails to comply with the requirements of a redetermination as described in this rule.~~

(C) To redetermine or amend the state adoption special services subsidy the PCSA shall:

- (1) Provide the adoptive parent with written notice of the upcoming redetermination at least sixty calendar days prior to the anniversary date of the effective state adoption special services subsidy or most recent redetermination or amendment.
- (2) Provide the adoptive parent with the JFS 01681 "Applicant Financial Statement" (rev. 10/2000).
- (3) Provide the adoptive parent with the JFS 04059 "Explanation of State Hearing Procedures" (rev. 4/2005).
- (4) Determine, from verification submitted by the adoptive parent, if the adoptive child continues to have a special need(s) and if the special need(s) is beyond the economic resources of the adoptive family.
- (5) Complete the JFS 01618 "Redetermination/Amendment of State Adoption Special Services Subsidy" (rev. 7/2004).
- (6) Provide written notification to the adoptive parent of the redetermination outcome at least fifteen calendar days prior to the annual anniversary date of the initial state adoption special services subsidy or most recent

redetermination, or within thirty calendar days of a request for an amendment.

(D) The adoptive parent shall provide the PCSA with a completed and updated JFS 01681 in order to redetermine the state adoption special services subsidy.

(E) The PCSA shall suspend the state adoption special services subsidy if the adoptive parent fails to comply with the requirements of a redetermination as described in this rule.

(F) The PCSA shall terminate the state adoption special services subsidy if six months have elapsed from the redetermination date and the adoptive parent still fails to comply with the requirements as described in this rule.

~~(E)~~(G) ~~When~~ If the PCSA elects to discontinue the state adoption special services subsidy program for approvals entered into before July 1, 2004, the PCSA shall:

(1) Continue the state adoption special services subsidy until completion of the annual redetermination process;

(2) Provide the adoptive parent, at least sixty calendar days prior to the anniversary date of the effective state adoption special services subsidy or most recent redetermination or amendment, with: ~~written notice of the upcoming redetermination, written notice of the PCSA's intent to discontinue the state adoption special services subsidy program, and the ODHS 4059 "Explanation of State Hearing Procedures;"~~

(a) Written notice of the upcoming redetermination.

(b) Written notice of the PCSA's intent to discontinue the state adoption special services subsidy program.

(c) The JFS 04059.

(3) Complete the JFS 01618, ~~"Redetermination/Amendment of State Adoption Special Services Subsidy;" and,~~

(4) Terminate the state adoption special services subsidy and provide written notification of the termination at least fifteen calendar days prior to the annual anniversary date, most recent redetermination, or within thirty calendar days of a request for an amendment.

~~(F)~~(H) PCSAs continuing the state adoption special services subsidy program may suspend the state adoption special services under the following circumstances:

- (1) The adoptive parent requests a suspension;
- (2) The adoptive child enters military service; or,
- (3) The adoptive parent is no longer providing financial support for the child.

~~(G)~~(I) ~~When~~If the redetermination results in a decrease, suspension or termination of the state adoption special services subsidy, the PCSA shall use the JFS 04065 "Prior Notice of Right to a State Hearing" (rev. 5/2001) to inform the adoptive parent of the reason for the action, its effective date and the right to a state hearing pursuant to section 5101.35 of the Revised Code and division ~~level designation~~ 5101:6 of the Administrative Code.

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CERTIFIED ELECTRONICALLY

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Certification

03/24/2009

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Date

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