

5101:2-44-10

Suspension of a state adoption maintenance subsidy.

(A) The following conditions shall cause suspension of the state adoption maintenance subsidy:

(1) Twelve months have elapsed from the ~~initiation~~ initial issuance of the state adoption maintenance subsidy payments and no adoption finalization ~~of the adoption~~ has occurred, unless the final adoption decree is delayed by proceedings or action under the jurisdiction of the court; or,

(2) The adoptive parent's annual gross income exceeds one hundred and twenty per cent of the median income of a family of the same size, including the adoptive child, pursuant to rule 5101:2-44-06 of the Administrative Code.

~~(2) A temporary change occurs in the need for the adoption subsidy; or~~

~~(3) The adoptive parent's current financial situation does not warrant continuation of the subsidy.~~

(B) The following conditions may cause suspension of the state adoption maintenance subsidy:

(1) The adoptive parent requests suspension;

(2) The adoptive child enters military service;

~~(3) The terms of the subsidy have been fulfilled but future services are anticipated;~~

~~(4)~~(3) The adoptive parent fails to comply with a redetermination of eligibility pursuant to rule 5101:2-44-08 of the Administrative Code, ~~or refuses to provide sufficient information to enable the public children services agency (PCSA) to make a redetermination; or,~~

~~(5) The PCSA determines from information submitted by the adoptive parent(s) or obtained by the PCSA that the child's special needs do not currently exist or the adoptive parent's current financial situation does not warrant continued subsidy; or~~

~~(6)~~(4) The adoptive parent is no longer providing financial support for the adoptive child.

(C) The PCSA shall send notification of the suspension no less than fifteen days prior to the effective date of the suspension and include the reason for the suspension and a description of the procedures for a state hearing pursuant to section 5101.35 of the

Revised Code and division level designation 5101:6 of the Administrative Code.

- (D) The PCSA shall make a redetermination of a suspended state adoption maintenance subsidy pursuant to rule 5101:2-44-08 of the Administrative Code upon the request of the adoptive parent to activate a suspended state adoption subsidy within thirty days of the request. Annual redetermination of a suspended state adoption maintenance subsidy is not required.

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CERTIFIED ELECTRONICALLY

Certification

06/18/2004

Date

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