

5101:2-44-10

Suspension of a state adoption subsidy.

~~(A)~~ A state adoption subsidy, whether for maintenance or special service or both, may continue as long as the child and adoptive parent continue to meet the requirements of rules 5101:2-44-05, 5101:2-44-06 and 5101:2-44-08 of the Administrative Code.

~~(B)~~(A) The following conditions shall cause suspension of the subsidy:

- (1) Twelve months have elapsed from the initiation of the subsidy payments and no 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) 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.

~~(C)~~(B) The following conditions may cause suspension of the subsidy:

- (1) The adoptive parent requests suspension;
- (2) The child enters military service;
- ~~(3)~~ There is a temporary lapse in the full-time educational status of the adoptee between the ages of eighteen and twenty-one;
- ~~(4)~~(3) The terms of the subsidy have been fulfilled but future services are anticipated;
- ~~(5)~~(4) 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;
- ~~(6)~~(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
- ~~(7)~~(6) The adoptive parent is no longer providing financial support for the child.

~~(D)~~(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 ~~review~~ state hearing pursuant to ~~rule 5101:2-33-04~~ section 5101.35 of the Revised Code and division level designation 5101:6 of the Administrative Code.

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

Effective:

R.C. 119.032 review dates: 11/27/2002

Certification

Date

Promulgated Under: 119.03
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5153.163.
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