

5101:2-44-10

**Suspension of a state adoption maintenance subsidy.**

- (A) The PCSA shall suspend the state adoption maintenance subsidy (SAMS) if any of the following circumstances occur:
- (1) Twelve months have elapsed from the initial issuance of the SAMS payments and no adoption finalization has occurred, unless the final adoption decree is delayed by proceedings or action under the jurisdiction of the court.
  - (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~~ Included in the family size count is the adoptive child, pursuant to rule 5101:2-44-06 of the Administrative Code.
  - (3) The adoptive parent(s) fails to comply with a redetermination of eligibility pursuant to rule 5101:2-44-08 of the Administrative Code.
  - (4) The adoptive child enters military service.
  - (5) The adoptive parent(s) requests suspension.
- (B) The PCSA shall send notification of the suspension at least thirty 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 5101:6 of the Administrative Code.
- (C) The PCSA shall make a redetermination of a suspended SAMS pursuant to rule 5101:2-44-08 of the Administrative Code within thirty days upon the request of the adoptive parent to activate ~~a suspended state adoption subsidy within thirty days of the request~~ SAMS. Annual redetermination of a suspended SAMS is not required.
- (D) If the adoptive child has been determined eligible for medicaid pursuant to rule 5101:2-44-05.1 of the Administrative Code, the suspension of the SAMS payment does not impact the child's medicaid eligibility.

Effective:

Five Year Review (FYR) Dates: 4/10/2019

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Certification

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Date

Promulgated Under: 119.03  
Statutory Authority: 5101.35, 5153.163  
Rule Amplifies: 5101.35, 5153.16, 5153.163  
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