

5101:2-44-11

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

(A) ~~Any of the following circumstances shall cause termination of the state adoption subsidy~~The public children services agency (PCSA) shall terminate the state adoption maintenance subsidy (SAMS) if any of the following circumstances occur:

- (1) The adoptive child's death.
- (2) The adoptive parent is no longer legally responsible to financially support the child. An adoptive parent(s) is financially supporting the child if the adoptive parent(s) provides the child with shelter, food and clothing or child support. A parent is generally responsible for the support of a child who is under the age of eighteen or a child with a physical and/or mental disability who is under twenty-one years of age.
- (3) The adoptive child does one of the following:
  - (a) Reaches the age of eighteen.
  - (b) Reaches age twenty-one and has been eligible because ~~he~~the child is mentally or physically ~~handicapped~~disabled.
- (4) The terms of the state adoption subsidy have been fulfilled.
- ~~(5) The public children services agency (PCSA) determines from verification submitted by the adoptive parent or obtained by the PCSA that the adoptive child's special needs for a state adoption subsidy no longer exist.~~
- ~~(6)~~(5) Six months have elapsed from the redetermination date and the adoptive parent fails to comply with a redetermination of eligibility pursuant to rule 5101:2-44-08 of the Administrative Code.
- (6) The adoptive parent(s) requests termination.

~~(B) The following conditions may cause termination of the state adoption subsidy:~~

- ~~(1) The adoptive parent requests termination.~~
- ~~(2) The adoptive parent is no longer providing financial support for the adoptive child.~~

~~(C)~~(B) The PCSA shall send notification of the termination using the JFS 04065 "Prior Notice of the Right to a State Hearing" (rev. 5/2001) at least fifteen calendar days prior to the effective date of the termination and include the reason for the

termination and the right to a state hearing pursuant to section 5101.35 of the Revised Code and division 5101:6 of the Administrative Code.

Effective:

R.C. 119.032 review dates: 03/12/2014

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Certification

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Date

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