

5101:2-44-11

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

- (A) 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~~ supporting 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 the child is mentally or physically disabled.
  - (4) The terms of the state adoption maintenance subsidy have been fulfilled.
  - (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 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:

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

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Certification

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Date

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