

5101:2-44-11

Termination of a state adoption subsidy.

(A) Any of the following ~~conditions~~ circumstances shall cause termination of the state adoption subsidy:

- (1) The adoptive child's death.
- (2) The adoptive parent is no longer legally responsible to financially support the child.
- ~~(3) The child reaches age eighteen unless the child has a mental or physical disability as described in rule 5101:2-44-06 of the Administrative Code.~~
- ~~(4) The adoptee reaches age twenty-one and has been eligible because he is physically or mentally disabled.~~
- (3) The adoptive child:
 - (a) Reaches the age of eighteen; or,
 - (b) Reaches age twenty-one and has been eligible because he is mentally or physically handicapped.
- (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 the adoptive child's special needs for a state adoption subsidy no longer exist.
- (6) 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.

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

- (1) The adoptive parent requests termination.
- ~~(2) The terms of the subsidy have been fulfilled and future services are not anticipated.~~
- ~~(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.~~
- ~~(4) The PCSA determines from verification submitted that the child's special needs~~

~~no longer exist or the adoptive parent's financial situation no longer warrants continued subsidy.~~

(5)(2) The adoptive parent is no longer providing financial support for the adoptive child.

(C) The PCSA shall send notification of the termination using the JFS 04065 "Prior Notice of the Right to a State Hearing" no less than fifteen calendar days prior to the effective date of the termination and include the reason for the termination and ~~their~~ the right to a state hearing pursuant to section 5101.35 of the Revised Code and division level designation 5101:6 of the Administrative Code.

Effective:

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Certification

Date

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