

5101:2-44-13

Administration of the post adoption special services subsidy (PASSS) program.

- (A) The Ohio department of job and family services (ODJFS) is responsible for the administration and determination of eligibility for the post adoption special services subsidy (PASSS) program. The department may contract with another person to carry out any of the duties described in this rule.
- (B) An adoptive family seeking a post adoption special service subsidy is to:
- (1) Submit a JFS 01050 "Application for Post Adoption Special Services Subsidy" online at <https://ohiokan.jfs.ohio.gov/> or
 - (2) Make contact with the Ohio kinship and adoption navigator (OhioKAN) program by phone, email or in person.
- (C) OhioKAN staff will make contact with the family to assist in obtaining other needed documentation for the completed application. The completed application will consist of the following documentation:
- (1) The JFS 01050 "Application for Post Adoption Special Services Subsidy."
 - (2) The JFS 01051 "Application for Additional Post Adoption Special Services Subsidy (PASSS) Funding for Extraordinary Circumstances," if applicable.
 - (3) The JFS 01052 "Credentials of Professional Providers of PASSS Funded Therapeutic Services and Memorandum of Understanding," if applicable.
 - (4) The JFS 01681 "Applicant Financial Statement."
 - (5) Any other documentation requested to aid in the approval process.
- (D) OhioKAN staff are to work with the adoptive family to provide assistance to the adoptive parent(s) in exploring other sources of support and services for the child prior to forwarding the application and accompanying documentation to ODJFS.
- (E) OhioKAN staff are to inquire if the child who is receiving medicaid is enrolled in the OhioRISE program. If the child is not enrolled in the OhioRISE program the child will be referred to the program.
- (F) OhioKAN staff are to forward the completed application and all required documentation as outlined in rule 5101:2-44-13.1 of the Administrative Code to the ODJFS within fifteen calendar days.

(G) ODJFS is to review all documentation described in paragraph (C) of this rule and recommend the services and level of funding to be provided by the PASSS program to the adoptive family.

(H) PASSS funds are to be used for the following:

- (1) Services that aid in maintaining the child in the home of the adoptive parent.
- (2) Services that will reduce serious psychological risk for the child or serious physical risk for the child or others. Serious psychological or physical risk is defined as a progressive psychological or physical illness, injury, or impairment that will continue over an extended period of time and requires direct supervision by a qualified professional as outlined in rule 5101:2-44-13.1 of the Administrative Code. If such services are for a child not residing in the home, the requested services are to focus on specific reunification goals that enable the child to return home.
- (3) Medical services designed to relieve or correct preadoptive health care problems.

(I) Approval of the PASSS application will be based on the following:

- (1) The review of supporting documentation as specified in rule 5101:2-44-13.1 of the Administrative Code.
- (2) Whether the application requirements of rule 5101:2-44-13.1 of the Administrative Code are met.
- (3) A determination that the individual services requested by the family are appropriate.

(J) The family is to receive written notice of approval or denial on the "Approval or Denial for Post Adoption Special Services Subsidy" report generated from the Ohio statewide automated child welfare information system (SACWIS) to the adoptive family within five days of the decision to approve or deny the application, but no later than forty-five days of submission of the completed application.

(K) In the event an individual receives a denial notice the individual has the right to appeal the decision by requesting a state hearing pursuant to section 5101.35 of the Revised Code and division 5101:6 of the Administrative Code.

- (1) The individual has fifteen calendar days from the mailing date of the denial notice to request a state hearing.

- (2) The individual may withdraw the state hearing request at any time prior to a state hearing decision being issued.
- (L) ODJFS will approve PASSS funding for eligible applicants as long as state funds are available. In the event state funding is no longer available, the PASSS program will close to new applications until July first of the following state fiscal year (SFY). Once state funds have been exhausted, ODJFS may not be held responsible for payment of services for applications that have not been approved.
- (M) PASSS funds are not to supplant medicaid funding if the child is eligible for coverage under the medicaid program.
- (N) ODJFS may consider approving services requested under the following conditions:
- (1) The child is not eligible for medicaid.
 - (2) The service recommended by a qualified professional for the child's treatment is not a covered service under medicaid.
 - (3) The service requested by the family is not covered under the family's insurance.
 - (4) The provider of the recommended service does not accept medicaid or is not covered by the family's insurance.
- (O) The amount funded is not to exceed the amount paid for the same service provided by a medicaid provider if the applicable service requested is covered under medicaid pursuant to: appendix DD to rule 5160-1-60 of the Administrative Code or appendix A to rule 5160-27-03 of Administrative Code for mental health services.
- (P) If the service is not covered under medicaid, the amount funded is to be a reasonable amount and is to meet the guidelines of the qualified professional's licensing body standards. The licensing body is the entity that has provided the license for the individual to practice in their profession.
- (Q) Invoices are to be submitted as services are rendered. All invoices submitted for payment that comply with Chapter 5101:2-44 of the Administrative Code will be paid by ODJFS if submitted no later than September thirtieth, after the close of the state fiscal year in which the applications were approved.
- (R) Each approved PASSS application is to be reviewed by ODJFS within twenty days after the state fiscal quarter in which it was approved, and every subsequent quarter within the SFY, to determine if the funding is being utilized.

(S) ODJFS is to notify families who have not utilized approved funds, within five days of completion of the review, of its intent to release these funds for that quarter unless the family provides adequate justification within twenty days of receipt of the notice as to why the funds were not used.

(T) If ODJFS does not accept the justification offered by the family, ODJFS is to release the funds in question and the family is responsible for the payment of services.

(U) If ODJFS releases the funds, it is to provide the family information regarding the right to a state hearing pursuant to section 5101.35 of the Revised Code and division 5101:6 of the Administrative Code.

Replaces: 5101:2-44-13

Effective:

Five Year Review (FYR) Dates:

Certification

Date

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