

TO BE RESCINDED

5101:2-47-10 **Administrative procedure: case record requirements for adoption assistance.**

- (A) The public children services agency (PCSA) shall maintain a separate case record for each adoption assistance (AA) case.
- (B) The case record shall contain documentation which supports the PCSA's actions in determining initial and continuing eligibility for AA. The case record shall include the following information:
- (1) A signed ODHS 1451 "Title IV-E Adoption Assistance Application/Determination of Continuing Eligibility" form.
 - (2) A copy of the PCSA's petition to the court which led to the child's removal from the home of a specified relative.
 - (3) A copy of the court order which resulted in the child's removal from a specified relative's home and which contains a judicial determination to the effect that continuation in the home would be contrary to the welfare of the child, if applicable.
 - (4) A copy of an ODHS 1645 "Agreement for Temporary Custody of Child" along with a copy of a court determination that continuation in the home would be contrary to the child's welfare or that the placement is in the best interests of the child, if applicable.
 - (5) A copy of the court order committing the child to the permanent custody of an Ohio PCSA or Ohio private child placing agency (PCPA), or a copy of the ODHS 1666 "Permanent Surrender of Child" which was executed in accordance with the requirements contained in rule 5101:2-42-09 of the Administrative Code. In cases where the child initially entered permanent custody as the result of the execution of an ODHS 1666, there must also be a copy of a court determination that continuation in the home would be contrary to the child's welfare or that the placement is in the best interests of the child, if applicable.
 - (6) A copy of the ODHS 1654 "Adoptive Placement Agreement."
 - (7) If the basis for determination of AA eligibility is meeting supplemental security income (SSI) eligibility requirements, a copy of a SSI voucher or a copy of any other official documentation verifying SSI eligibility.

- (8) If the basis for determination of AA eligibility is ADC-relatedness, a copy of any official documentation of ADC-relatedness for the month in which the child was removed from the home or for any of the preceding six months, as applicable, and documentation of the Title IV-E foster care maintenance criteria of deprivation and need at the time adoption proceedings are initiated as defined in rule 5101:2-47-31 of the Administrative Code.
 - (9) A copy of the ODHS 6612 "Health Insurance Information Form" and the ODHS 6613 "Accident/Injury Insurance Information Form," if applicable.
 - (10) A copy of the adoption petition filed with the court and, when the adoption is finalized, a copy of the final decree of adoption.
 - (11) A copy of the signed ODHS 1453 "Adoption Assistance Agreement" between the adoptive parents and the PCSA.
- (C) In order to protect the confidentiality of adoption records, the dates of the documents listed in paragraph (B) of this rule may be included in the AA case record in place of copies of the court order, agreement for temporary custody, permanent surrender forms, or petition for adoption. Provision of these dates by the PCSA shall be recognized as evidence that copies of the legal records exist. The dates must be listed on agency letterhead; each record must be clearly identified; the date of the record given; and the agency representative's signature must confirm that the record is on file at the agency.
- (D) When applicable, the agency shall contact the PCPA which placed the child for adoption in order to obtain verification of the dates listed in paragraph (C) of this rule. Verification of the dates must be provided on the PCPA's letterhead; each record must be clearly identified; the date of the record given; and the agency representative's signature must confirm that the record is on file at the agency. The PCPA shall also provide preadoptive identifying information which is needed to establish eligibility.
- (E) The PCSA shall use the preadoptive identifying information when contacting the income maintenance unit to request pertinent information available in its file, or when contacting the social security administration to request pertinent information about the child's eligibility for SSI. The agency shall not provide any information about the child's new identity or present situation.

Effective:

R.C. 119.032 review dates: 08/02/2006

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 5101.11, 5101.141
Rule Amplifies: 5101.11, 5101.141, 5153.16
Prior Effective Dates: 1/1/83, 4/1/86, (EMER.), 7/1/86, 7/2/87, 9/1/88, 5/1/94