

5101:2-49-01 **Adoption assistance application process.**

- (A) Prior to finalization of the adoption, the public children services agency (PCSA) shall ~~ensure that~~provide and assist the adoptive parent(s) of a child placed by that PCSA ~~receives~~with a JFS 01451 "Adoption Assistance Application" (rev. 10/2006) ~~and shall assist the adoptive parent(s) with the completion of the application. The PCSA shall determine a child's eligibility for Title IV-E adoption assistance (AA) within thirty working days after a completed AA application and all required documentation are provided to the PCSA.~~
- (B) The adoptive parent(s) may apply for Title IV-E adoption assistance (AA) only after both of the following have occurred ~~a homestudy has been completed and he or she has been approved for an adoptive placement of a special needs child by an agency with such authority. Application shall be made before or after the child is placed in the approved adoptive home, but shall be made prior to the finalization of the adoption.~~
- (1) The homestudy has been approved in accordance with rules 5101:2-48-11, 5101:2-48-11.1, 5101:2-48-12, and 5101:2-48-12.1 of the Administrative Code.
- (2) A child has been matched with an adoptive parent(s) in accordance with rule 5101:2-48-16 of the Administrative Code by an agency with such authority.
- (C) A stepparent may apply for AA only if a biological parent is not present in the home due to death or divorce or has failed to visit or maintain contact with the child for more than ninety days pursuant to section ~~2151.01~~2151.011 of the Revised Code.
- (D) Prior to the finalization of adoption, the adoptive parent(s) shall submit the AA application to one of the following, as appropriate:
- (1) The PCSA holding permanent custody of the child.
- (2) The PCSA located in the county in which the adoptive parent(s) resides when one of the following apply:
- (a) The child meets the eligibility requirements for Title XVI supplemental security income (SSI) benefits and the child is not in the custody of a PCSA.
- (b) The child is placed by a private child placing agency (PCPA) having permanent custody of the child.
- (c) The child is placed for adoption in Ohio from another state and that state's

public children services agency does not have responsibility for placement and care of the child.

- (3) The state children services agency in the state of residence if the child is placed for adoption from Ohio into another state and the child is not in the permanent custody of an Ohio PCSA.

~~(E) The AA application shall be completed prior to the finalization of the adoption unless the application is a result of a post finalization application pursuant to rule 5101:2-49-09 of the Administrative Code.~~

~~(F)~~(E) If an Ohio PCPA holds permanent custody of a child as a result of a JFS 01666 "Permanent Surrender of Child" (rev. 6/2006), the following requirements shall be met:

- (1) Prior to finalization of the adoption, the PCPA shall ensure that the adoptive parent(s) receives information about AA and an AA application.

- (2) At the time of application by the adoptive parent(s) ~~to the PCSA~~, the PCPA shall provide the PCSA with the following:

- (a) A copy of the JFS 01616 "Social and Medical History" (rev. 6/2009) completed on the child for whom the subsidy is being requested.

- (b) A copy of one of the following homestudies:

- (i) JFS 01673 "Assessment for Child Placement (homestudy)" (rev. 8/2005).

- (ii) A copy of the JFS 01692 "Application for Adoption of a Foster Child" (rev. 6/2009).

- (iii) The homestudy forms containing at a minimum the information required on the JFS 01673 for an adoptive parent(s) residing out of state.

~~(3) The PCSA shall complete the JFS 01451A "Title IV-E Adoption Assistance Eligibility Determination" (rev. 3/2010) and approve or deny the application within thirty working days after a completed application and all required documentation are provided to the PCSA.~~

(F) The PCSA shall complete the JFS 01451A "Title IV-E Adoption Assistance

Eligibility Determination" (rev. 04/2010) and approve or deny the application within thirty working days after a completed application and all required documentation are provided to the PCSA.

- (G) A face-to-face interview with the adoptive parent(s) is required at application: ~~Unless~~ the adoptive parent(s) resides out-of-state or in another county which is a considerable distance from the agency, ~~a face-to-face interview is not required.~~ The PCSA may ask the public child service agency in the other county or state to assist with the determination of eligibility ~~or continuing eligibility.~~
- (H) The PCSA may obtain information to ~~establish~~ assist in determining AA eligibility from a variety of sources including:
- (1) The county department of job and family services (CDJFS) client registration information system-enhanced (CRIS-E).
 - (2) The social security administration.
 - (3) The agency that has held permanent custody of the child and placed the child for adoption.
 - (4) The court records.
 - (5) The adoptive parents.
- (I) The PCSA shall request verification from the adoptive parent(s) and have the adoptive parent(s) complete the JFS 06612 "Health Insurance Information Sheet" (rev. 5/2001) at anytime the adoptive parent(s) acquires health care insurance coverage for the child.
- (J) For a child who is placed for adoption from Ohio into another state and the child is not in the permanent custody of an Ohio PCSA, the adoptive parent(s) shall apply to the Title IV-E agency in the state the adoptive parent(s) resides. The Title IV-E agency in the adoptive parent's state of residence shall be responsible for determining the child's eligibility for AA and, if the child is eligible, entering into the AA agreement; and issuing the AA payment.

Effective: 12/15/2011

R.C. 119.032 review dates: 07/06/2011 and 09/01/2016

CERTIFIED ELECTRONICALLY

Certification

11/16/2011

Date

Promulgated Under: 119.03
Statutory Authority: 5101.141
Rule Amplifies: 5101.11
Prior Effective Dates: 1/1/83, 1/1/85 (Emer), 4/1/85, 5/22/85 (Emer),
8/12/85, 4/1/86 (Emer), 7/1/86, 7/2/87, 9/1/88, 9/1/92,
5/1/98, 7/1/00, 2/24/02, 1/1/2007, 4/1/2010