

5101:2-49-07 **Adoption assistance agreement only with no payment.**

(A) The public children services agency (PCSA) shall enter into a JFS 01453 "Adoption Assistance Agreement" (rev. ~~3/2010~~4/2010) without a Title IV-E adoption assistance (AA) payment if any of the following apply:

- (1) The adoptive parent(s) and the PCSA, after considering the needs of the child and the circumstances of the adoptive family, agree that the adoptive family does not currently require an AA payment ~~to meet the child's current needs to incorporate the child into the adoptive family household.~~
- (2) The child or the child's biological family has a social or medical history that establishes a substantial risk of acquiring conditions, as identified in rule 5101:2-49-03 of the Administrative Code.
- (3) The child has reached the age of eighteen and has not been determined to meet the eligibility requirements for continuation of AA as set forth in paragraph ~~(B)~~(A) of rule 5101:2-49-04 of the Administrative Code.

(B) An AA agreement with no AA payment shall include the following provisions:

- (1) The child is eligible for AA, but there is no monthly payment in effect because of the determination set forth in paragraph (A) of this rule.
- (2) The adoptive parent(s) may request modification/amendment of the AA agreement to include AA payments if the child develops a condition, and the condition is diagnosed by a qualified professional, as identified in rule 5101:2-49-03 of the Administrative Code.
- (3) Unless the provisions of paragraph (A)(3) of this rule apply, Title XX services and post adoption services shall be provided or secured in addition to Title XIX (medicaid) coverage if the child develops a condition, as determined by a qualified professional, as a result of the substantial risk identified in paragraph (A)(2) of this rule.
- (4) All of the remaining conditions of the JFS 01453 as set forth in rule 5101:2-49-10 of the Administrative Code apply including reimbursement of nonrecurring adoption expenses, categorical eligibility for Title XIX medical assistance and Title XX social services and the right of appeal through a state hearing.

Effective: 12/15/2011

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

CERTIFIED ELECTRONICALLY

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Certification

11/16/2011

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Date

Promulgated Under: 119.03  
Statutory Authority: 5101.141  
Rule Amplifies: 5101.11  
Prior Effective Dates: 9/1/92, 5/1/98, 1/1/2007, 4/1/2010