

5101:2-49-10 **Determination of continuing eligibility requirements for adoption assistance.**

(A) The public children services agency (PCSA) responsible for the Title IV-E adoption assistance (AA) agreement shall provide the adoptive parent(s) with the JFS 01451B "Title IV-E Adoption Assistance Continuing Eligibility Determination" (rev. 3/2010/4/2010) ~~to be completed annually on an annual basis~~ or whenever there is a significant change in the family situation.

(B) ~~For a child The PCSA shall assure that each child~~ who has attained the minimum age for compulsory school attendance ~~receiving AA is a full-time elementary or secondary school student~~ the PCSA shall assure that the child's AA case record contains documentation of one of the following. The documentation shall be contained in the child's AA case record. Full-time elementary or secondary school attendance includes the following:

- (1) A child is enrolled, or in the process of enrolling in an institution providing elementary or secondary education.
- (2) A child is instructed in elementary or secondary education at home in accordance with the home school law of the state where the home is located.
- (3) A child is in an independent study elementary or secondary education program in accordance with the law of the state where the program is located, which is administered by the local school or school district.
- (4) A child is incapable of attending school on a full-time basis due to the medical condition of the child, and the incapability is supported by regularly updated information in the AA case record of the child.

(C) The adoptive parent(s) shall notify the PCSA within five working days of the date of a change if:

- (1) The child reaches the age of eighteen, or twenty-one if the child is mentally or physically disabled pursuant to rule 5101:2-49-04 of the Administrative Code.
- (2) The child has married, enlisted in the military service, or established his or her own residence.
- (3) The child's primary health care insurance coverage changes from medicaid to private health care insurance. The adoptive parent(s) shall complete a JFS 06612 "Health Insurance Information Sheet" (rev. 5/2001) as a result of this

change.

- (4) The adoptive parent(s) is no longer supporting the child, pursuant to paragraph ~~(F)~~(D) of this rule, even though the child may still be living with the adoptive parent(s).
 - (5) The adoptive parent's parental rights have been terminated by a court of competent jurisdiction or permanently surrendered to a PCSA or private child placing agency (PCPA).
 - (6) The family or the child moves.
 - (7) The child dies.
- (D) An adoptive parent(s) is supporting the child if the adoptive parent(s) provides the child with shelter, food, and clothing. A parent is generally responsible for the support of a child who is under the age of eighteen or a physically and/or mentally disabled child who is under twenty-one years old.
- (E) A parent is not legally required to support the child if the child is emancipated. A child becomes emancipated if:
- (1) Parental rights have been terminated.
 - (2) The child enlists in the military services.
 - (3) The child marries.
 - (4) The child has been determined to be an emancipated minor by a court of appropriate jurisdiction or the state of residence.
- (F) If the child no longer meets the requirements for AA, the PCSA shall terminate the AA agreement pursuant to rule 5101:2-49-13 of the Administrative Code.

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CERTIFIED ELECTRONICALLY

Certification

11/16/2011

Date

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