

5101:2-49-10

~~Determination of continuing eligibility requirements for adoption assistance~~ Ongoing verification 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~~ annual assurance of legal responsibility, school attendance and eligibility for continued Medicaid coverage " (rev. 4/2010/2014) annually or whenever there is a significant change in the family situation.
- (B) For a child who has attained the minimum age for compulsory school attendance the PCSA shall assure that the child's AA case record contains documentation of one of the following:
- (1) A child is enrolled full-time, 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 full-time 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 full-time 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) Title IV-E agencies are not required to verify school attendance for a child age eighteen to twenty-one, unless the reason the child is continuing to receive AA past age eighteen is because pursuant to paragraph (B)(4) of rule 5101:2-49-04 of the Administrative Code.
- ~~(C)~~(D) The adoptive parent(s) shall notify the PCSA within ~~five working~~ fifteen calendar 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, or 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 )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~~ or the child established his or her own residence.-
- (7) The child dies.
- ~~(D)~~(E) The adoptive parent(s) must be supporting the child. An adoptive parent(s) is supporting the child if the adoptive parent(s) provides the child with shelter, food, ~~and clothing, child support, or any support regardless of the physical location of the child.~~ 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 with special needs who is under twenty-one years old.
- ~~(E)~~(F) 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)~~(1) The child enlists in the military services.
- ~~(3)~~(2) The child marries.
- ~~(4)~~(3) The child has been determined to be an emancipated minor by a court of ~~appropriate~~ competent jurisdiction or the state of residence.
- ~~(4)~~ The child is self-supporting by paying for shelter, food, and clothing even though he or she may still reside with the adoptive parent(s).
- ~~(F)~~(G) 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.

Effective:

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Certification

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Date

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