

5101:2-49-10

Determination of continuing eligibility requirements for adoption assistance.

(A) The public children services agency (PCSA) responsible for the adoption assistance (AA) agreement shall provide the adoptive parent(s) with the JFS 01451B "Title IV-E Adoption Assistance Continuing Eligibility Determination" (10/2006) to be completed annually or whenever there is a significant change in the family situation. Within fourteen working days of receipt of the JFS 01451B the adoptive parent(s) shall complete and return the JFS 01451B to the PCSA.

(B) The adoptive parent(s) must notify the PCSA within five working days of the date of a change when:

(1) The child reaches the age of eighteen, or twenty-one if the child has a mental or physical handicap.

(2) The child has married, enlisted in the military service, or established his/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. 05/2001) 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.

(7) The child dies.

(8) The child is no longer living with the adoptive parent(s).

(C) The child continues to be eligible for AA if:

(1) The adoptive parent(s) continues to be legally responsible for the child's support, and/or

(2) The child is receiving support from the adoptive parent, and/or

(3) The child is under eighteen, or twenty-one if physically or mentally disabled pursuant to rule 5101:2-49-04 of the Administrative Code.

(D) An adoptive parent(s) is supporting the child when the adoptive parent(s) provides the child with shelter, food, and clothing. A parent is generally responsible for the support of their minor child who is under eighteen or their physically and mentally disabled child who is under twenty-one. A parent is not legally required to support the child if the child is emancipated.

(1) A child becomes emancipated if the child:

(a) Marries.

(b) Enlists in the military services.

(c) Establishes his/her own residence.

(d) Is self-supporting by paying for shelter, food, and clothing even though he/she may still reside with his/her adoptive parent(s).

(E) Failure of the adoptive parent(s) to notify the PCSA of a change in the family's situation or to comply with the determination of continuing eligibility requirements in accordance with this rule may result in the reduction of the child's AA payment.

(F) If the child no longer meets the requirements for continuing eligibility for AA, the PCSA shall terminate the AA agreement.

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Certification

Date

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