

5101:2-49-17

Case record requirements for adoption assistance.

- (A) The public children services agency (PCSA) shall maintain a separate case record for each adoption assistance (AA) case.
- (B) The case record shall contain documentation which supports the PCSA's actions in determining ~~initial and continuing~~ eligibility for AA. The case record shall include the following information, when applicable:
- (1) A copy of the signed JFS 01451 "Title IV-E Adoption Assistance Application" (rev. ~~10/2006~~ 1/2014).
 - (2) A copy of the signed JFS 01451A "Title IV-E Adoption Assistance Eligibility Determination" (4/2010) or the Title IV-E adoption assistance eligibility determination in the statewide automated child welfare information system (SACWIS).
 - (3) A copy of each signed "JFS 01451-B "Title IV-E Adoption Assistance Annual Assurance of Legal Responsibility, School Attendance and Eligibility for continued Medicaid coverage" (rev.1/2014).
 - ~~(3)~~(4) A copy of the PCSA's petition to the court which led to the child's removal from the ~~home of a~~ specified relative.
 - ~~(4)~~(5) A copy of the court order which resulted in the child's removal from a specified ~~relative's home~~ relative and which contains a judicial determination to the effect that continuation in the home would be contrary to the welfare of the child and that placement is in the best interest of the child.
 - ~~(5)~~(6) A copy of the signed JFS 01645 "Agreement for Temporary Custody of Child" (rev. 4/2006) along with a copy of a court determination that continuation in the home would be contrary to the welfare of the child and that the placement is in the best interest of the child.
 - ~~(6)~~(7) A copy of the court order committing the child to the permanent custody of an Ohio PCSA or Ohio private child placing agency (PCPA), or a copy of the JFS 01666 "Permanent Surrender of Child" (rev. ~~6/2006~~10/2013). In cases where the child initially entered permanent custody as the result of the execution of a JFS 01666, there must also be a copy of a court determination that continuation in the home would be contrary to the welfare of the child and that the placement is in the best interest of the child.
 - ~~(7)~~(8) A copy of the signed JFS 01654 "Adoptive Placement Agreement" (rev. 10/2001).

- ~~(8)~~(9) Child study inventory.
- ~~(9)~~(10) A copy of the JFS 01616 "Social and Medical History" (rev. 6/2009).
- ~~(10)~~(11) A copy of the JFS 01673 "Assessment for Child Placement (Homestudy)" (rev. ~~08/2005~~6/2011) or another state's approved child with special needs homestudy.
- ~~(11)~~(12) A copy of the JFS 01673A "Ohio Department of Job and Family Services Child Characteristics Checklist for Foster Care and/or Adoption" (rev. 12/2006).
- ~~(12)~~(13) A copy of the JFS 01689 "Documentation of the Placement Decision-Making Process" (rev. ~~12/2006~~7/2012).
- ~~(13)~~(14) A copy of the JFS 01692 "Application for Adoption of a Foster Child" (rev. 6/2009).
- ~~(14)~~(15) If the basis for determination of AA eligibility is meeting supplemental security income (SSI) eligibility requirements, a copy of the SSI voucher or a copy of any other official documentation verifying SSI eligibility.
- ~~(15)~~(16) If the basis for determination of AA eligibility is ADC-relatedness, copies of all documentation used for the determination.
- ~~(16)~~(17) If the basis for eligibility determination for AA is that a child's cost in a foster home or residential child care facility are covered by the Title IV-E foster care maintenance (FCM) payments being made for the child's minor parent, the documentation of inclusion of the costs in the FCM payment for the minor parent.
- ~~(17)~~(18) If the basis for eligibility determination for AA is that the child was placed in the custody of the PCSA as a result of a JFS 01645 or JFS 01666 for a non applicable child and the child is in receipt of Title IV-E FCM payments, documentation of receipt of the FCM payments.
- ~~(18)~~(19) A copy of the JFS 06612 "Health Insurance Information Sheet" (rev. 05/2001) as completed by the adoptive parent(s).
- ~~(19)~~(20) A copy of the adoption petition filed with the court.

- ~~(20)~~(21) A copy of the ~~final decree of~~ adoption finalization.
- ~~(21)~~(22) A copy of the signed JFS 01453 "Adoption Assistance Agreement" (rev. ~~4/2010~~1/2014) between the adoptive parents and the PCSA and any amendments.
- ~~(22)~~(23) Documentation of eligibility for AA in a prior finalized adoption.
- ~~(23)~~(24) Copies of ~~the each~~ signed JFS 01451B "~~Title IV-E Adoption Assistance Continuing Eligibility Determination~~" (~~10/2006~~) "Title IV-E Adoption Assistance Annual Assurance of Legal Responsibility, School Attendance and Eligibility for Continued Medicaid Coverage" (rev. 1/2014).
- ~~(24)~~(25) A copy of the documentation evidencing repayment of any identified AA overpayment.
- ~~(25)~~(26) A copy of state hearing, administrative appeal and judicial review information.
- (27) A copy of the JFS 01470 "Adoption Assistance State Mediation Conference Request" (rev. 1/2014).
- (28) A copy of the JFS 01471 "Waiver Request to Exceed the Title IV-E Adoption Assistance Statewide Maximum" (rev. 1/2014).
- (29) A copy of the interstate compact and adoption medical assistance forms.
- (C) For applications received from an adoptive parent(s) who resides out of state, the case record shall include a copy of forms which contain, at a minimum, the information required by the JFS 01673, JFS 01692 and child study inventory.
- (D) In order to protect confidentiality of adoption records, the dates of the documents listed in paragraph (B)(3) to (B)(6) of this rule may be included in the AA case record in place of copies of the court order, JFS 01645, JFS 01666, or petition for adoption. For auditing purposes these documents shall be provided upon request. Provision of these dates by the PCSA shall be recognized as evidence that copies of the legal records exist. The following information shall be provided on the child services agency (CSA) or PCSA's letterhead.
- (1) Each document must be clearly identified.

- (2) The effective date of each record.
 - (3) The PCSA representative's signature, confirming that the record is on file at the PCSA.
- (E) When applicable, the PCSA shall contact the PCPA which placed the child for adoption in order to obtain verification of the date of the documents listed in paragraph (B) of this rule. Documentation of these dates by the PCPA shall be recognized as evidence that copies of the legal records exist. For auditing purposes these documents shall be provided upon request. The following information shall be provided on the PCPA's letterhead.
- (1) Each record must be clearly identified.
 - (2) The effective date of each record.
 - (3) The PCPA representative's signature confirming that the record is on file at the PCPA.
 - (4) Preadoptive identifying information which is needed to establish eligibility for AA.
- (F) The PCSA ~~and~~ PCPA shall use the preadoptive identifying information when contacting the public assistance benefits eligibility ~~or~~ referral specialists to request pertinent information on file, or when contacting the social security administration to request pertinent information about the child's eligibility for SSI. The PCSA ~~and~~ PCPA shall not provide any information about the child's new identity or present situation.
- (G) In accordance with paragraph (D) of rule 5101:2-33-23 of the Administrative Code the adoption assistance case record shall be permanently kept.

Effective:

R.C. 119.032 review dates: 03/14/2014

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 5101.141
Rule Amplifies: 5101.11
Prior Effective Dates: 1/1/83, 4/1/86 (Emer.), 7/1/86, 7/2/87, 9/1/88, 5/1/94,
5/1/98, 1/1/07, 12/15/11