

5101:2-51-03**Payments for the adoption assistance connections to age twenty-one.**

- (A) The maximum amount of the monthly adoption assistance connections (AAC) to age twenty-one payment shall not exceed the cost of the monthly foster care maintenance (FCM) payment that was paid or would have been paid if the adopted young adult had remained in a foster home.
- (B) The monthly payment identified in paragraph (A) of this rule shall not exceed the monthly statewide maximum adoption assistance (AA) payment amount established by the Ohio department of job and family services (ODJFS) through the "Family, Children and Adult Services Manual Procedure Letter."
- (C) The AAC representative shall submit a waiver request to exceed the title IV-E adoption assistance statewide maximum in the statewide automated child welfare information system (SACWIS) to the office of families and children. The amount the AAC representative agrees to pay in excess of the statewide maximum AA payment shall not exceed the monthly FCM payment amount in accordance with paragraph (A) of this rule.
- (1) Notification of approval or denial of the waiver request will be made within ten business days of the request. The approval or denial of a waiver is a final determination and does not grant state hearing rights under section 5101.35 of the Revised Code or Chapters 5101:6-1 to 5101:6-9 of the Administrative Code.
- (2) Upon approval of the waiver, the AAC payment amount in excess of the statewide maximum shall be effective the month following the waiver approval date.
- (D) If the adopted young adult receives supplemental social security income (SSI) benefits, the adopted young adult may receive AAC and SSI concurrently. If there is concurrent receipt of payments from both programs, the social security administration will decrease the monthly SSI benefit by the monthly AAC payment amount. It is the responsibility of the adopted parent(s) to advise the social security administration that the adopted young adult is in receipt of AAC.
- (E) If the AAC representative and the adoptive parent(s) cannot mutually agree on the monthly AAC payment amount after negotiating for at least thirty days, the adoptive parent(s) may request a state mediation conference using the JFS 01470 "Adoption Assistance State Mediation Conference Request" (rev.1/2014). The JFS 01470 shall be sent to the ODJFS state hearings department in the manner described on the form.
- (1) The state mediation conference shall be held within thirty business days from the receipt of the request.

- (2) The state mediator, AAC representative and adoptive parent(s) shall participate in the state mediation conference.
- (3) If the state mediation conference is successful and results in a mutually acceptable monthly AAC payment amount, it is considered a final decision between both parties.
- (4) If the state mediation conference is not successful, the AAC representative shall provide the adoptive parent(s) with the following:

 - (a) A written notice which shall contain a clear and understandable statement that all parties were not in agreement and the right to a state hearing.
 - (b) The JFS 04059 "Explanation of State Hearing Procedures" (rev. 01/2015).

Effective:

Five Year Review (FYR) Dates:

Certification

Date

Promulgated Under:	119.03
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