

**PUBLIC HEARING NOTICE
OHIO DEPARTMENT OF JOB AND FAMILY SERVICES**

DATE: April 14, 2014
TIME: 10:00 AM
LOCATION: Rhodes State Office Tower, Room 3110B

Pursuant to sections 5101.35, 5153.16, 5153.163 and Chapter 119. of the Ohio Revised Code, the director of the Ohio Department of Job and Family Services (ODJFS) gives notice of the department's intent to consider the amendment of the rules identified below and of a public hearing thereon. These rules are being amended as a result of the Five Year Rule Review and recent policy updates, and the result of Partners for Ohio's Families (PFOF).

OAC 5101:2-44-03 entitled "**Public children services agency (PCSA) administration of the state adoption maintenance subsidy program**" outlines the PCSA's responsibilities for administering and determining eligibility for the state adoption subsidy. This rule was amended to add the word "maintenance" to the title, to update the revision date of the forms referenced, and to remove duplicate language captured in another rule.

OAC 5101:2-44-05.1 entitled "**Covered families and children (CFC) medicaid eligibility: Children with special needs**" outlines the medicaid eligibility for special needs children. This rule was amended to change "special needs children" to "children with special needs" in the title and to remove the words "mental retardation."

OAC 5101:2-44-05.2 entitled "**Covered families and children (CFC) Medicaid eligibility for state adoption subsidy recipient moving from or to Ohio**" outlines the Medicaid eligibility requirements for an adoptive child in receipt of a state adoption subsidy moving from or to Ohio. This rule was amended to change references from "working" days to "business" days. The revision dates of the forms referenced in this rule were updated and language was added requiring adoptive parents to notify the agency of their new address and phone number within ten days of relocating.

OAC 5101:2-44-08 entitled "**Redetermination and amendment of a state adoption maintenance subsidy**" outlines the procedures for the redetermination and amendment of a state adoption maintenance subsidy. This rule was reorganized and is being filed as new due to the number of changes. The language regarding redeterminations and amendments have been separated out and are addressed individually. The timeframes listed in this rule have been extended to give the agency and the adoptive parent additional time to complete necessary actions. The term "anniversary date" has been changed to "redetermination date" for clarity. The rule now includes a list of reasons why an adoptive parent may request an amendment.

OAC 5101:2-44-09 entitled "**Requirements for the state adoption special services subsidy program approved before July 1, 2004**" outlines the procedures and requirements for the state adoption special services subsidy program for those agencies that still provide this subsidy. The title of this rule was amended to include "approved before July 1, 2004". The word "calendar"

has been removed when referring to days and the revision dates of the forms referenced in this rule have been updated.

OAC 5101:2-44-10 entitled "**Suspension of a state adoption maintenance subsidy**" outlines the requirements for suspending a state adoption maintenance subsidy. This rule was amended to remove the list of conditions that "may" cause suspension. All conditions now listed in the rule shall cause the subsidy to be suspended. The timeframe for notification of the suspension has been changed from fifteen to thirty days.

OAC 5101:2-44-11 entitled "**Termination of a state adoption maintenance subsidy**" outlines requirements for terminating a state adoption subsidy. This rule was amended to add the word "maintenance" to the title, to define what "financially supporting" a child means, and to change the term "physically handicapped" to "physically disabled".

OAC 5101:2-44-12 entitled "**State adoption maintenance subsidy records**" outlines what information must be contained in each state adoption maintenance subsidy record. This rule was amended to add the word "maintenance" to the title and to add language stating that a copy of the Title IV-E adoption assistance denial must be included in the file. The revision dates of the forms referenced in this rule have also been updated.

A copy of the proposed rules is available, without charge, to any person affected by the rule at the address listed below. The rule is also available on the internet at <http://www.registerofohio.state.oh.us/>. A public hearing on the proposed rule will be held at the date, time, and location listed at the top of this notice. Either written or oral testimony will be taken at the public hearing. Additionally, written comments submitted or postmarked no later than the date of the public hearing will be treated as testimony.

Requests for a copy of the proposed rules or comments on the rules should be submitted by mail to the Ohio Department of Job and Family Services, Office of Legal and Acquisition Services, 30 East Broad Street, 31st Floor, Columbus, Ohio 43215, by fax at (614) 752-8298, or by e-mail at rules@jfs.ohio.gov.