

TO BE RESCINDED

5101:12-40-30

Central paternity registry.

- (A) In accordance with section 3111.64 of the Revised Code, the central paternity registry (CPR) in the office of child support in the Ohio department of job and family services (ODJFS) shall maintain a birth registry.

The birth registry shall contain the following information, when that information is included in a JFS 07038, "Acknowledgment of Paternity Affidavit" (rev. 12/2006), an order issued pursuant to section 3111.13 of the Revised Code on or after January 1, 1998, a JFS 07774, "CSEA Administrative Order - Establishment of Paternity" (rev. 11/2001), or a JFS 07771, "CSEA Administrative Order - Non-existence of Child - Parent Relationship" (rev. 1/2006) that has been filed with the CPR:

- (1) The names of the parents of the child subject to the JFS 07038 or order;
- (2) The name of the child; and
- (3) The resident address of each parent and each parent's social security number.

- (B) The CPR shall:

- (1) No later than two business days after receipt of an order issued pursuant to section 3111.13 of the Revised Code, a JFS 07771, or a JFS 07774, enter the required information in the birth registry and send the order to the department of health.
- (2) No later than two business days after receipt of a JFS 07723, "Administrative Order to Modify the Birth Record" (12/2006), send the original JFS 07723 to the department of health.
- (3) No later than five days after receipt of a JFS 07038, examine the JFS 07038 to determine whether it is completed correctly.

- (a) The filed JFS 07038 is considered to be completed correctly when:

- (i) It is an original JFS 07038 as provided by ODJFS (brown, legal sized paper) and not a copy;
- (ii) All requested information has been provided and is legible;
- (iii) There are no alterations to the information provided;

- (iv) Handwritten information is in dark blue or black ink;
 - (v) The child's and parents' information appear correct in light of the other information on the JFS 07038 (e.g., the child's date of birth is not after the date the parties signed the JFS 07038 or before the parents' dates of birth); and
 - (vi) Both parents signed the JFS 07038 and their signatures are properly notarized.
- (b) When the JFS 07038 is not completed correctly, the CPR shall return the JFS 07038 to the person or entity that filed the JFS 07038. Along with the JFS 07038, the CPR shall send a notice stating what needs to be corrected and that the person or entity has ten days from the date of the notice to submit a replacement JFS 07038 to the CPR.

When the JFS 07038 is returned to the CPR, the CPR shall examine the JFS 07038 again. When the JFS 07038 has not been completed correctly, the JFS 07038 is invalid. The CPR shall return an invalid JFS 07038 to the person or entity that filed it and shall not enter the JFS 07038 into the birth registry. When the CPR returns an invalid JFS 07038, it shall send a notice stating the errors in the JFS 07038 and that the JFS 07038 is invalid.

- (c) Within three business days of determining that the JFS 07038 is completed correctly, the CPR shall:
- (i) Enter the information on the JFS 07038 in the birth registry; and
 - (ii) Send the JFS 07038 to the department of health.
- (4) Upon receipt of a JFS 07029, "Request for Paternity Determination and Notification to Central Paternity Registry" (rev. 06/2001), contact the CSEA indicated on the JFS 07029 to verify compliance with paragraph (A)(1) of rule 5101:12-40-17 of the Administrative Code.
- (a) When the CPR verifies compliance, the CPR shall note in its record the date the JFS 07029 was received and that the JFS 07038 to which the JFS 07029 pertains is subject to rescission.
 - (b) When the CPR is unable to verify compliance, it shall note in its records

the date the JFS 07029 was received and that compliance was not verified.

(5) Rescind a JFS 07038 when:

(a) The CPR receives a JFS 07774 or JFS 07771 pursuant to paragraph (A)(1) of rule 5101:12-40-17 of the Administrative Code.

(b) The CPR receives an order described in paragraph (A)(4)(a) of this rule, not later than the end of the business day following the business day of receipt.

(c) The CPR receives a court order to rescind the JFS 07038, in accordance with section 3111.28 or 3119.961 of the Revised Code.

(6) Retain a JFS 07038 that has been returned to the CPR by the department of health.

(7) Provide the registry number of a JFS 07038 that has not been rescinded or an order described in paragraph (A)(4) of this rule that has been filed with the CPR upon request to an individual to whom a JFS 07038, JFS 07771, or JFS 07774 or a court paternity order pertains or the legal representative of that individual.

Effective:

R.C. 119.032 review dates: 05/16/2012

Certification

Date

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