

5101:2-46-06**Title IV-E kinship guardianship assistance program (KGAP) ongoing verification.**

- (A) Ohio department of job and family services (ODJFS) is to provide the kinship caregiver(s) with the JFS 00136 "Title IV-E Kinship Guardianship Assistance Program (KGAP) annual assurance of legal responsibility, school attendance and eligibility for continued Medicaid coverage" annually or whenever impacting eligibility criterion.
- (B) For a child who has attained the minimum age for compulsory school attendance, ODJFS is to assure that the child's KGAP case record contains documentation of one of the following:
- (1) A child is enrolled full-time, or in the process of enrolling full-time, in an institution providing elementary or secondary education.
 - (2) A child is instructed in elementary or secondary education at home full-time in accordance with the home school law of the state where the kinship caregiver(s) resides.
 - (3) A child is in an independent study elementary or secondary education program full-time in accordance with the law of the state where the program is located, which is administered by the local school or school district.
 - (4) A child is incapable of attending school on a full-time basis due to the medical condition of the child, and the incapability is supported by regularly updated information in the KGAP case record of the child.
- (C) The kinship caregiver(s) is to notify ODJFS within fifteen calendar days of the date of a change if:
- (1) The child reaches the age of eighteen, or twenty-one if the child is physically/mentally disabled or has a medical condition pursuant to rule 5101:2-46-14 of the Administrative Code.
 - (2) The child marries or enlists in the military services.
 - (3) The child's primary health care insurance coverage changes from medicaid to private health care insurance. The kinship caregiver(s) is to complete an ODM 06612 "Health Insurance Information Sheet" as a result of this change.
 - (4) The kinship caregiver(s) is no longer supporting the child.
 - (5) The kinship caregiver(s) legal rights have been terminated by a court of competent jurisdiction.

- (6) The family moves, or the child establishes their own residence.
- (7) The child is deceased.
- (D) The kinship caregiver(s) is to be supporting the child. A kinship caregiver(s) is supporting the child if the kinship caregiver(s) provides the child with shelter, food, clothing, or any support regardless of the physical location of the child. A kinship caregiver(s) is generally responsible for the support of a child who is under the age of eighteen or under the age of twenty-one and is physically/mentally disabled or has a medical condition.
- (E) A kinship caregiver(s) is not legally required to support the child if the child is emancipated. A child becomes emancipated if the child:

 - (1) Enlists in the military services.
 - (2) Marries.
 - (3) Has been determined to be an emancipated minor by a court of competent jurisdiction or the state of residence.
- (F) If the child no longer meets the requirements for KGAP, ODJFS is to terminate the KGAP agreement pursuant to rule 5101:2-46-09 of the Administrative Code.

Effective: 1/1/2023

Five Year Review (FYR) Dates: 01/01/2028

CERTIFIED ELECTRONICALLY

Certification

10/11/2022

Date

Promulgated Under: 119.03
Statutory Authority: 5153.163, 5101.1417
Rule Amplifies: 5153.163, 5153.16