

5101:2-46-07**Amendment of the Title IV-E kinship guardianship assistance program (KGAP) agreement.**

- (A) Prior to the expiration date of the JFS 00133 "Title IV-E Kinship Guardianship Assistance Program (KGAP) Agreement," the kinship caregiver(s), the public children services agency (PCSA) director or designee and Ohio department of job and family services (ODJFS) by mutual agreement amend the JFS 00133. The amended agreement is to meet all other requirements of rule 5101:2-46-04 of the Administrative Code.
- (B) Any request for an amendment to the KGAP agreement is to contain newly documented needs of the child or circumstances of the kinship caregiver(s) that were not previously subject to the current agreement.
- (C) By mutual agreement between the kinship caregiver(s) and ODJFS pursuant to rule 5101:2-46-04 of the Administrative Code, the kinship caregiver(s) may amend the agreement to change the successor guardian at any time.
- (D) At any time while the JFS 00133 is in effect, the kinship caregiver(s) and ODJFS may agree to amend the payment amount or provision for services. If an amendment is requested:
- (1) The JFS 00133 is to be entered into by mutual agreement between the kinship caregiver(s) and ODJFS pursuant to rule 5101:2-46-04 of the Administrative Code.
 - (2) ODJFS and kinship caregiver(s) are to sign the amended agreement.
 - (3) The agreement is to meet all requirements of rules 5101:2-46-03 and 5101:2-46-04 of the Administrative Code.
 - (4) ODJFS is to give a copy of the amended agreement to the kinship caregiver(s) and retain a copy in the child's case record.
- (E) If ODJFS and the kinship caregiver(s) cannot agree on a mutually acceptable monthly KGAP payment amount, ODJFS and the kinship caregiver(s) may complete a JFS 00133 for a mutually acceptable level of KGAP payment while negotiations continue and requests a state hearing.
- (F) If the kinship caregiver(s) requests an amendment of the KGAP payment specified in an existing agreement and ODJFS denies the request, ODJFS is to provide the kinship caregiver(s) with written notice of the denial and the right to a state hearing, as provided in Chapters 5101:6-1 to 5101:6-9 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