



Mike DeWine, Governor
Jon Husted, Lt. Governor

Matt Damschroder, Director

PUBLIC HEARING NOTICE
OHIO DEPARTMENT OF JOB AND FAMILY SERVICES

DATE: September 7, 2022

TIME: 10:00 a.m.

LOCATION: Teleconference

Due to COVID-19 precautions this meeting will be held by teleconference. If you would like to submit oral testimony, please call in at the above date and time to 1-614-721-2972. Then enter the meeting I.D. which is 349 137 282#. Written testimony may also be submitted electronically to rules@jfs.ohio.gov.

Pursuant to sections 5153.163, 5101.1417 and Chapter 119 of the Ohio Revised Code (ORC), the director of the Department of Job and Family Services gives notice of the department's intent to consider the adoption of rules as identified below and of a public hearing thereon. These rules are being filed as new. These rules were created for the administration of the federal Kinship Guardianship Assistance (KGAP) program.

OAC rule 5101:2-46-01 entitled "**Administration of the Title IV-E Kinship Guardianship Assistance Program (KGAP)**" outlines the eligibility criteria established prior to the court issuing an order granting legal custody/guardianship to a kinship caregiver(s) when reunification or adoption are not appropriate permanency options for the child.

OAC rule 5101:2-46-02 entitled "**Title IV-E Kinship Guardianship Assistance Program (KGAP) Eligibility Criteria**" outlines the eligibility criteria established prior to the court issuing an order granting legal custody/guardianship to a kinship caregiver(s) when reunification or adoption are not appropriate permanency options for the child.

OAC rule 5101:2-46-03 entitled "**Initial Determination of the Title IV-E Kinship Guardianship Assistance Program (KGAP) Monthly Payment Amount**" outlines the factors that must be considered in determining the amount of the KGAP payment and payment modifications determined by mutual agreement between the kinship caregiver(s) and ODJFS.

OAC rule 5101:2-46-04 entitled "**Title IV-E Kinship Guardianship Assistance Program (KGAP) Agreement and Duration: Provision for Financial Support and Services**" outlines the criteria of the KGAP agreement and the duration of the agreement. This rule coincides with form JFS 00133 entitled "Title IV-E Kinship Guardianship Assistance Program (KGAP) Agreement."

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OAC rule 5101:2-46-05 entitled "**Title IV-E Kinship Guardianship Assistance Program (KGAP) Monthly Payments**" outlines the required procedures needed to begin a KGAP monthly payment when there is a mutually agreed upon KGAP agreement and specific steps have been completed.

OAC rule 5101:2-46-06 entitled "**Title IV-E Kinship Guardianship Assistance (KGAP) Ongoing Verification**" outlines the responsibilities of the kinship caregiver(s) to provide the JFS 00136 "Title IV-E Kinship Guardianship Assistance Program (KGAP) Annual Assurance of Legal Responsibility, School Attendance and Eligibility for Continued Medicaid Coverage" for continued Medicaid coverage through the KGAP program.

OAC rule 5101:2-46-07 entitled "**Amendment of the Title IV-E Kinship Guardianship Assistance Program (KGAP) Agreement**" outlines criteria for the kinship caregiver(s) and ODJFS by mutual agreement to amend a KGAP agreement. The request must contain newly documented needs of the child or circumstances of the kinship caregiver(s) that were not previously subject to the current agreement. This may include changes to the successor guardian at any time.

OAC rule 5101:2-46-08 entitled "**Suspension of Title IV-E Kinship Guardianship Assistance Program (KGAP) Payment**" outlines the criteria for suspension of a KGAP payment to a kinship caregiver(s) when certain circumstances apply.

OAC rule 5101:2-46-09 entitled "**Termination of a Title IV-E Kinship Guardianship Assistance Program (KGAP) Agreement**" outlines the circumstances that result in the termination of a KGAP agreement between the kinship caregiver(s) and ODJFS.

OAC rule 5101:2-46-10 entitled "**Case Record Requirements for Title IV-E Kinship Guardianship Assistance Program (KGAP)**" outlines required documentation which supports the public children services agency (PCSA) actions in determining eligibility for KGAP in the case record.

OAC rule 5101:2-46-11 entitled "**Title XIX Medicaid Coverage for Title IV-E Kinship Guardianship Assistance Program (KGAP) Eligible Children**" outlines procedures to follow for provision of Title XIX medical coverage for children eligible for KGAP.

OAC rule 5101:2-46-12 entitled "**Reimbursement of Title IV-E Nonrecurring Kinship Guardianship Assistance Program (KGAP) Expenses**" outlines the requirements for eligibility for nonrecurring KGAP expenses and the reimbursement of the nonrecurring expenses incurred by a kinship caregiver(s) that are directly related to the legal custody/guardianship of a child.

OAC rule 5101:2-46-13 entitled "**Title IV-E Kinship Guardianship Assistance Program (KGAP) Intercounty and Interstate Case Management**

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Responsibility" outlines the requirements for intercounty and interstate case management for KGAP when the kinship caregiver(s) and the child move to another county or state.

OAC rule 5101:2-46-14 entitled "**Requirements for Title IV-E Kinship Guardianship Assistance Program (KGAP) Past Age Eighteen**" outlines the requirements for KGAP for children with an existing kinship guardianship agreement that are eighteen to twenty-one years of age. To be eligible for kinship guardianship assistance beyond age eighteen, the child must have a documented physical/mental disability or medical condition that is verified annually.

A copy of the proposed rules is available, without charge, to any person affected by the rules at the address listed below. The rules are also available on the internet at <http://www.registerofohio.state.oh.us/>. A public hearing on the proposed rules will 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 Acquisition Services, 30 East Broad Street, 31st Floor, Columbus, Ohio 43215-3414, by fax at (614) 752-8298, or by e-mail at rules@jfs.ohio.gov.

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Columbus, OH 43215
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