



March 23, 2021

Family, Children, and Adult Services Manual Transmittal Letter No. 453

TO: All Family, Children, and Adult Services Manual Holders
FROM: Matt Damschroder, Interim Director
SUBJECT: New Ohio Administrative Code Rule 5101:2-42-18.2 Kinship Support Program (KSP)

This letter transmits new OAC rule 5101:2-42-18.2 which will be effective April 1, 2021.

OAC 5101:2-42-18.2 entitled **Kinship Support Program** provides requirements for a new program in Ohio developed to provide payments to eligible kinship caregivers for qualifying kinship placements. The purpose of this rule is to implement the Governor’s Executive Order 2020-43D issued on December 30, 2020 to authorize the Ohio Department of Job and Family Services to promulgate rules relating to the administration of the Kinship Support Program in accordance with Am. Sub. SB 310 of the 133rd General Assembly and Sections 5101.88, 5101.881, 5101.884, 5101.885, 5101.886, 5101.887, 5101.889, 5101.8811, and 5103.0329 of the Ohio Revised Code.

INSTRUCTIONS:

The following chart indicates the materials that should be removed from the Family, Children and Adult Services Manual (FCASM) and the materials that should be added

LOCATION	REMOVE AND FILE AS OBSOLETE	INSERT/REPLACEMENT
SOCIAL SERVICES		5101:2-42-18.2
TRANSMITTAL		FCASMTL 453

5101:2-42-18.2 **Kinship support program.**

(A) The kinship support program (KSP) is available to eligible kinship caregivers to provide financial payments for the placement of children in the kinship caregiver's home. The Ohio department of job and family services (ODJFS) is to coordinate and administer the program pursuant to section 5101.881 of the Revised Code and provide payments in accordance with section 5101.885 of the Revised Code to the extent funds are appropriated and allocated for this purpose.

(B) "Kinship caregiver" has the same meaning as in section 5101.85 of the Revised Code, which is any of the following who is eighteen years of age or older and is caring for a child in place of the child's parents.

(1) Individuals related by blood or adoption to the child including:

(a) Grandparents, including grandparents with the prefix "great," "great-great," or "great-great-great."

(b) Siblings.

(c) Aunts, uncles, nephews, and nieces, including such relatives with the prefix "great," "great-great," "grand," or "great-grand."

(d) First cousins and first cousins once removed.

(2) Stepparents and stepsiblings of the child.

(3) Spouses and former spouses of individuals named in paragraphs (B)(1) and (B)(2) of this rule.

(4) A legal guardian of the child.

(5) A legal custodian of the child.

(6) Any nonrelative adult that has a familiar and long-standing relationship or bond with the child or the family, which relationship or bond will ensure the child's social ties.

(C) A kinship caregiver who is not certified as a foster caregiver in accordance with Chapters 5101:2-5 and 5101:2-7 of the Administrative Code is eligible to receive KSP payments for a child placed in the kinship caregiver's home pursuant to rule 5101:2-42-18 of the Administrative Code when:

(1) The child is in the temporary, permanent, or legal custody of a public children services agency (PCSA); or

- (2) The child is under the care of a Title IV-E agency with legal responsibility for care and placement of the child and which has a Title IV-E subgrant agreement in effect.
- (D) Eligible kinship caregivers are to receive KSP payments in accordance with the following timeframes:
- (1) For not more than nine months after December 29, 2020 when the child is already placed in the kinship home;
 - (2) For not more than nine months from the date of placement when the child is placed in the kinship home between December 29, 2020 and September 29, 2021; or
 - (3) For not more than six months from the date of placement when the child is placed in the kinship home on or after September 30, 2021.
- (E) The kinship caregiver is to receive KSP payments until the earliest of the following:
- (1) The kinship caregiver obtains foster home certification in accordance with Chapters 5101:2-5 and 5101:2-7 of the Administrative Code; or
 - (2) The applicable timeframe specified in paragraph (D) of this rule is exhausted; or
 - (3) The child is no longer placed in the kinship caregiver's home.
- (F) Prior to placing a child in a kinship home, the PCSA or other Title IV-E agency is to provide the kinship caregiver with information about the KSP.
- (G) The PCSA or other Title IV-E agency is to enter the necessary data into the statewide automated child welfare information system (SACWIS) to initiate and/or terminate payments for eligible kinship caregivers in accordance with this rule.
- (H) A kinship caregiver who obtains foster home certification in accordance with Chapters 5101:2-5 and 5101:2-7 of the Administrative Code is to receive foster care maintenance (FCM) payments equal to the rate the PCSA or other Title IV-E agency would pay for that child if placed in a foster home that is not kin.
- (I) The eligibility for kinship caregivers and foster caregivers to receive Ohio works first (OWF) is determined pursuant to rules 5101:1-3-01, 5101:1-23-10, and 5101:1-23-20.1 of the Administrative Code.
- (J) In accordance with rule 5101:2-5-18 of the Administrative Code, a recommending agency may submit a waiver request for a kinship caregiver to waive any non-safety foster home certification standards. These waiver requests will be reviewed on a case

by case basis. Pursuant to section 5103.0329 of the Revised Code, a recommending agency may submit a request for a kinship caregiver to waive training hours and topic requirements contained in rule 5101:2-5-33 of the Administrative Code. Per rule 5101:2-5-18 of the Administrative Code, all waiver requests for kinship caregivers to become certified foster parents are to be completed in SACWIS and forwarded to ODJFS. Kinship caregivers who become certified foster caregivers as a result of the approval of non-safety waivers are not able to receive placement of children other than kinship children.

Effective: 4/1/2021

Five Year Review (FYR) Dates: 04/01/2026

CERTIFIED ELECTRONICALLY

Certification

03/22/2021

Date

Promulgated Under: 111.15
Statutory Authority: 5101.8811
Rule Amplifies: 5101.88, 5101.881, 5101.884, 5101.885, 5101.886,
5101.887, 5101.889, 5103.0329