



July 26, 2023

Family, Children and Adult Services Manual Transmittal Letter No. 524

To: Family, Children and Adult Services Manual Holders

From: Matt Damschroder, Director

Subject: **Ohio Adoption Grant Program**

On January 6, 2023, Governor DeWine signed House Bill 45 of the 134th General Assembly which included creating the Ohio Adoption Grant Program (OAGP) under Ohio Revised Code sections 5101.19, 5101.191, 5101.192, 5101.193, and 5101.194, became effective April 7, 2023. An Ohio Administrative Code (OAC) rule within Chapter 44 along with two new forms and instructions have been developed for the OAGP to be administered by the Ohio Department of Job and Family Services (ODJFS). Additionally, two rules for the State Adoption Maintenance Subsidy (SAMS) Program in Chapter 44 and one rule for the Kinship Permanency Incentive (KPI) Program with one form in Chapter 40 impacted by the OAGP have been amended. The following is a brief explanation of the changes:

OAC 5101:2-44-15 entitled **Administration and Eligibility for the Ohio Adoption Grant Program** provides an overview of the program eligibility requirements of the Ohio Adoption Grant Program and outlines the process to apply for the one-time payment including the approval and denial processes.

OAC 5101:2-44-06 entitled **Eligibility for the State Adoption Maintenance Subsidy Program (SAMS)** outlines the eligibility requirements for the SAMS payments and provides the process to apply for the program. The rule was amended to address income received from the Ohio Adoption Grant Program, effective, April 7, 2023, is not to be counted when calculating the annual gross income for applicants. The rule was also restructured for clarification, along with the removal of revision dates for forms.

OAC 5101:2-44-08 entitled **Redetermination and Amendment of a State Adoption Maintenance Subsidy (SAMS)** describes the process for annual redetermination or a request to amend the agreement upon the request of the adoptive parent. The rule was amended to address income received from the Ohio Adoption Grant Program, effective, April 7, 2023, is not to be counted when calculating the annual gross income for applicants at the time of redetermination or request for amendment.

OAC 5101:2-40-04 entitled **Kinship Permanency Incentive (KPI) Program** provides an overview of the KPI program including eligibility requirements and public children services agency (PCSA) responsibilities for administering the program. The rule was amended to address income received from the Ohio Adoption Grant Program, effective, April 7, 2023, is not to be counted when calculating the annual gross income for applicants. The definition of “kinship caregiver” was amended to reflect the definition in section

5101.85 of the Ohio Revised Code. Additionally, language was added to clarify that a child who is receiving Kinship Guardianship Assistance Program (KGAP) payments is not eligible for KPI and that any KGAP payments received for other children are not to be included in the income calculation for KPI. Additional edits to the rule were completed to correct errors and to reflect the current reference to the Ohio Statewide Automated Child Welfare Information System (SACWIS).

JFS 01057 “Application for The Ohio Adoption Grant” This form is the application for eligible adoptive parents to apply for a one-time payment per adopted child with qualifying adoptions finalized on or after January 1, 2023.

JFS 01057i “Instructions for Completing JFS 01057 Application for The Ohio Adoption Grant” This form provides instructions for completing the “Application for The Ohio Adoption Grant.”

JFS 01058 “Adoption Grant Program Special Ohio Needs Documentation” This form is to be completed by a qualified professional to document a child with special needs for the Ohio Adoption Grant Program application.

JFS 01058i “Instructions for Completing JFS 01058 Ohio Adoption Grant Program Special Needs Documentation” This form provides instructions for completing the “Ohio Adoption Grant Program Special Needs Documentation.”

JFS 01501 “Application for Kinship Permanency Incentive” This form is the application for kinship caregivers to apply for the Kinship Permanency Incentive.

INSTRUCTIONS: The following chart indicates the material that should be removed from the Family, Children and Adult Services Manual (FCASM) and the materials that are to be inserted in the FCASM.

LOCATION	REMOVE AND FILE AS OBSOLETE	INSERT/REPLACEMENT
Management and Administration	OAC 5101:2-44-15	OAC 5101:2-44-15
Management and Administration	OAC 5101:2-44-06	OAC 5101:2-44-06
Management and Administration	OAC 5101:2-44-08	OAC 5101:2-44-08
Social Services	OAC 5101:2-40-04	OAC 5101:2-40-04
Forms	JFS 01057	JFS 01057
Forms	JFS 01057-I	JFS 01057-I
Forms	JFS 01058	JFS 01058
Forms	JFS 01058-I	JFS 01058-I
Transmittal Letters		FCASMTL No. 524

5101:2-40-04

Kinship permanency incentive (KPI) program.

- (A) The KPI program is designed to promote a permanent commitment by a kinship caregiver(s) through becoming guardians and custodians over minor children who would otherwise be unsafe or at risk of harm if they remained in their own homes. KPI provides up to eight incentive payments to families caring for their kin.
- (B) The following definitions are applicable to this rule and supersede any conflicting definitions contained in rule 5101:2-1-01 of the Administrative Code.
- (1) "Custodian" has the same meaning as in section 5107.02 of the Revised Code, which is an individual who has legal custody of a minor child or comparable status over a minor child created by a court of competent jurisdiction in another state.
 - (2) "Family" means a kinship caregiver, spouse of the kinship caregiver, and all of the minor children for whom the kinship caregiver and spouse of the kinship caregiver are responsible, and who reside in the same household.
 - (3) "Fraudulent incentive" means incentive funds provided to the kinship caregiver(s) as a result of fraud by the kinship caregiver(s), including an intentional violation of the program requirements. Fraudulent incentive does not include incentive payments provided due to an error of the agency in processing the application.
 - (4) "Gross income" means income of the family as defined in paragraph (B)(2) of this rule before taxes and deductions.
 - (5) "Guardian" has the same meaning as in section 5107.02 of the Revised Code, which is an individual that is granted authority by a probate court or a court of competent jurisdiction in another state, to exercise parental rights over a minor child to the extent provided in the court's order and subject to residual parental rights of the minor child's parents.
 - (6) "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.
 - (a) Individuals related by blood or adoption to the child including:
 - (i) Grandparents, including grandparents with the prefix "great," "great-great," or "great-great-great."
 - (ii) Siblings.

- (iii) Aunts, uncles, nephews, and nieces, including such relatives with the prefix "great," "great-great," "grand," or "great-grand."
 - (iv) First cousins and first cousins once removed.
- (b) Stepparents and stepsiblings of the child.
 - (c) Spouses and former spouses of individuals named in paragraphs (B)(6)(a)(i) to (B)(6)(a)(iv) and (B)(6)(b) of this rule.
 - (d) A legal guardian of the child.
 - (e) A legal custodian of the child.
 - (f) 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.
- (7) "Minor child" has the same meaning as in 45 C.F.R. 260.30 (2003), which is either of the following:
- (a) An individual who has not attained age eighteen.
 - (b) An individual who has not attained age nineteen and is a full-time student in a secondary school or in the equivalent level of vocational or technical training.
- (C) Eligible kinship caregiver(s) shall receive an initial incentive payment and may receive subsequent payments at six-month intervals to support the stability of the child's placement in the home.
- (1) The maximum incentive amount may not exceed eight payments per child per kinship caregiver(s).
 - (2) Individuals who were approved for their sixth incentive payment prior to March 17, 2014 are not eligible for additional incentive payments.
 - (3) Individuals who submitted their sixth application to the public children services agency (PCSA) on or after March 17, 2014 may be eligible for additional incentive payments.
 - (4) Individuals who have not received their sixth incentive payment may be eligible for additional incentive payments.

(D) For each state fiscal year (SFY), the Ohio department of job and family services (ODJFS) shall determine the initial and subsequent payment amounts. At the beginning of each SFY, ODJFS shall provide notice to the PCSAs identifying the initial and subsequent payment amounts for that SFY.

(E) The PCSA shall determine the kinship caregiver(s) eligible for KPI when all of the following criteria are met:

(1) On July 1, 2005 or thereafter, a court issued an order granting legal custody or guardianship to the kinship caregiver(s). A temporary court order is not sufficient to meet this requirement.

(2) The minor child resides with the kinship caregiver(s). If the child is on temporary leave from the kinship caregiver's home (e.g., hospitalization, mental health treatment or respite) and the kinship caregiver retains legal custody or guardianship this shall not preclude eligibility for KPI.

(3) The kinship caregiver(s) is a resident of the state of Ohio.

(4) The gross income of the kinship caregiver's family does not exceed three hundred per cent of the federal poverty guidelines.

(5) The placement has been assessed and approved by the PCSA or private child placing agency (PCPA).

(a) For children placed by the PCSA or PCPA, the placement was assessed and approved pursuant to paragraphs (B) to (I) of rule 5101:2-42-18 of the Administrative Code.

(b) For children placed directly with a kinship caregiver by a court or relative, the PCSA shall assess the home in accordance with the requirements identified in paragraphs (B) and (D) to (I) of rule 5101:2-42-18 of the Administrative Code prior to the approval of KPI.

(F) A kinship caregiver who is receiving kinship guardianship assistance program (KGAP) payments for a child is not eligible to receive KPI for the same child.

~~(F)~~(G) The kinship caregiver(s) shall apply for the KPI program by submitting the following to the PCSA in the county in which the caregiver resides:

(1) The JFS 01501 "Application for Kinship Permanency Incentive."

(2) Verification that the caregiver has obtained legal custody or guardianship on or after July 1, 2005.

- (3) Verification of included income. Exclusions of reported income are as follows and shall not be included in the income calculation for eligibility:
- (a) Child support paid out to another custodian for a child in the other custodian's care. The total amount of child support paid out shall be deducted from the gross income.
 - (b) Up to one hundred dollars per month per child of any child support received on behalf of the child(ren) for whom the kinship caregiver is applying for the KPI program.
 - (c) Any Ohio works first (OWF) payments.
 - (d) Any income of minor children, including employment income and social security benefits paid to a child.
 - (e) Supplemental security income (SSI) payments and social security disability income (SSDI) payments.
 - (f) Adoption subsidy payments and foster care reimbursements.
 - (g) Ohio adoption grant program payments received for an adopted child.
 - (h) KGAP payments received for another child.

~~(G)~~(H) When the kinship caregiver(s) submits an application for re-determination, the PCSA shall review the eligibility requirements in paragraphs (E)(1) to (E)(4) of this rule with the kinship caregiver(s) to ensure the requirements continue to be met by the kinship caregiver's family.

~~(H)~~(I) At the time of the kinship caregiver's initial application or re-determination, the PCSA in the county in which the kinship caregiver(s) resides shall:

- (1) Provide the kinship caregiver(s) with the JFS 01501 upon request.
- (2) Determine eligibility for the initial incentive payment.
- (3) Notify the kinship caregiver(s) of the approval, denial or incomplete application in accordance with paragraphs ~~(J)~~(J) and ~~(K)~~(K) of this rule.
- (4) Inform the kinship caregiver(s) that subsequent payments require re-determination of eligibility every six months and that the kinship caregiver(s) must submit another application.

(5) Notify the kinship caregiver(s) at least thirty, but not more than sixty, calendar days prior to the eligibility for a subsequent incentive payment that the kinship caregiver(s) must submit a JFS 01501 and verifying documentation to enable the PCSA to determine eligibility.

(6) Determine continuing eligibility for subsequent incentive payments as long as the kinship caregiver(s) resides in that county.

(7) Notify the kinship caregiver(s) of the approval, denial or incomplete application for subsequent incentive payments in accordance with paragraphs ~~(H)~~(J) and ~~(H)~~(K) of this rule.

~~(H)~~(J) The PCSA shall approve or deny the application for KPI based on criteria identified in paragraphs (E)(1) to (E)(5) of this rule and provide notification on the "Notice of Approval for Kinship Permanency Incentive Funds" or the "Notice of Denial for Kinship Permanency Incentive Funds" reports generated from the Ohio statewide automated child welfare information system (SACWIS) to the kinship caregiver(s) of its decision within fifteen business days of receipt of the completed JFS 01501, supporting documentation, and the results of the background checks.

~~(H)~~(K) When sufficient information is not available to enable the PCSA to approve or deny the application for incentive payments, the PCSA shall provide the kinship caregiver(s) with notification on the "Notice of Incomplete Kinship Permanency Incentive Application" generated from Ohio SACWIS that identifies the information needed and informs the kinship caregiver(s) that if information requested is not submitted within ten calendar days the application will be denied. This shall not prohibit the kinship caregiver(s) from reapplying.

~~(K)~~(L) If a kinship caregiver(s) relocates to another Ohio county, the PCSA in the new county of residence is responsible for determining eligibility for subsequent incentive payments. When known, the PCSA in the county in which the kinship caregiver(s) currently resides shall coordinate with the PCSA in the county of former residence in order to secure information regarding prior incentive payments. The PCSA in the county in which the kinship caregiver(s) formerly resided shall share information regarding prior incentive payments and upon request, transfer the case to the PCSA of the kinship caregiver's new county of residence.

~~(L)~~(M) When a PCSA conducts and approves a home assessment in accordance with rule 5101:2-42-18 of the Administrative Code for a child's placement with a relative or nonrelative substitute caregiver residing in another county, the PCSA in the county of residence may use the approved home assessment to support KPI program eligibility.

- ~~(M)~~(N) The PCSA may develop an interagency agreement with the ~~CDJFS~~-county department of job and family services (CDJFS) to assist in gathering eligibility information necessary for the PCSA to approve or deny the application.
- ~~(N)~~(O) If a director of a PCSA determines that a kinship caregiver(s) has received a fraudulent incentive, the kinship caregiver(s) shall be ineligible to participate in the KPI program for any child. The PCSA that determines that a kinship caregiver(s) has received a ~~fraudulent~~ fraudulent incentive shall indicate this in Ohio SACWIS.
- ~~(O)~~(P) The PCSA shall enter applications and incentive payments into Ohio SACWIS.
- ~~(P)~~(Q) In order to confine KPI expenditures to appropriated state funds, the director of the department of job and family services, or designee, may issue an order at any time suspending the intake of any applications for KPI. During a program suspension, all applicants will be advised that a suspension is in effect. All applications will be denied during the same time that a suspension is in effect. No waiting lists will be established during the periods of suspension.
- ~~(Q)~~(R) The PCSA shall inform the kinship caregiver(s) of the right to request a state hearing and provide the kinship caregiver(s) with a copy of the JFS 04059 "Explanation of State Hearing Procedures" upon approval or denial of their application. The kinship caregiver(s) has the right to request a state hearing if the PCSA denies eligibility for KPI, or the application has been acted upon erroneously, or not acted upon with reasonable promptness.

Effective: 8/5/2023

Five Year Review (FYR) Dates: 5/19/2023 and 08/05/2028

CERTIFIED ELECTRONICALLY

Certification

07/24/2023

Date

Promulgated Under: 119.03
Statutory Authority: 5101.801,5101.802
Rule Amplifies: 5101.801,5101.802
Prior Effective Dates: 01/01/2006, 07/02/2007 (Emer.), 09/30/2007,
08/21/2009 (Emer.), 11/18/2009, 07/01/2011 (Emer.),
09/29/2011, 05/04/2014, 01/20/2015, 09/01/2017,
03/01/2019, 02/01/2022

5101:2-44-06

Eligibility for the state adoption maintenance subsidy program.

- (A) The following criteria shall be met for a child to be determined eligible to enter into an agreement for ~~the~~ state adoption maintenance subsidy (SAMS) ~~program~~:
- (1) The child is in the permanent custody of a public children services agency (PCSA) or a private child placing agency (PCPA) and is legally available for adoption.
 - (2) The adoptive parent(s) has applied for the Title IV-E adoption assistance program, and the adoptive child has been determined ineligible in accordance with rules 5101:2-49-02 and 5101:2-49-02.1 of the Administrative Code. Eligibility for reimbursement of nonrecurring adoption expenses pursuant to rule 5101:2-49-21 of the Administrative Code does not constitute eligibility for Title IV-E adoption assistance.
 - ~~(3) The adoptive parent(s) has completed the JFS 01613 "Application for State Adoption Maintenance Subsidy" (rev. 4/2019) and the PCSA has approved or denied the JFS 01613 prior to the adoption finalization.~~
 - ~~(4)~~(3) The child is either:
 - (a) Under the age of eighteen.
 - (b) Between eighteen and twenty-one years of age and is mentally or physically disabled as diagnosed by a qualified professional.
 - ~~(5) The child is a child with special needs who, prior to the finalization of adoption, has at least one of the following needs or circumstances that may be a barrier to the adoption without financial assistance:~~
 - ~~(a) Is part of a sibling group being adopted together or part of a previously adopted biological sibling group with whom the child should be placed.~~
 - ~~(b) Is a member of a minority or ethnic group.~~
 - ~~(c) Is six years of age or older.~~
 - ~~(d) Has remained in the permanent custody of a PCSA or PCPA for more than one year.~~
 - ~~(e) Has a medical condition, physical impairment, or developmental disability.~~
 - ~~(f) Has a mental illness as defined in Chapter 5121. of the Revised Code.~~

~~(g) His or her family has a social or medical history that establishes a substantial risk of the child acquiring a medical condition, physical impairment, or mental or developmental disability that makes it difficult to place the child for adoption without the provision of SAMS. The condition shall be diagnosed by a qualified professional. For the purpose of this rule, a "qualified professional" is an audiologist, licensed independent social worker, licensed professional clinical counselor, physician, physician assistants, or orthopedist, marriage and family therapist, psychiatrist, psychologist or speech/language pathologist or other licensed/certified professionals that are under the direct supervision of any of the professionals listed in this paragraph. The qualified professional shall:~~

~~(i) Diagnose a medical, or physical impairment, or mental or developmental disability within the professional's area of expertise.~~

~~(ii) Not be responsible for providing casework services to the child.~~

~~(iii) Provide a clear written statement of the child's diagnosis supported by an assessment or evaluation which includes an opinion as to the origin of the problem, past history, prognosis and recommendations related to future treatment needs.~~

~~(h) Has been in the home of his or her prospective adoptive parents as a foster child for at least six months and would experience severe separation and loss if placed in another setting due to his or her significant emotional ties with these foster parents as determined and documented by a qualified mental health professional.~~

~~(i) Has experienced previous adoption disruption or multiple placements.~~

~~(6)(4)~~ A PCSA or PCPA has approved the adoptive parent for adoptive placement pursuant to rule 5101:2-48-16 of the Administrative Code. If a PCPA approved the adoptive placement, the PCPA shall provide the PCSA with the following:

(a) The JFS 01673 "Assessment for Child Placement (Homestudy)" ~~(rev. 12/2014)~~ or the JFS 01692 "Application for Adoption of a Foster Child or Sibling Group," ~~(rev. 12/2014)~~.

(b) JFS 01654 "Adoptive Placement Agreement," ~~(rev. 2/2017)~~.

(c) JFS 01616 "Social and Medical History," ~~(rev. 6/2009)~~.

(d) Child study inventory.

~~(7)~~(5) In addition to the criteria listed in this paragraph, the agency has determined the following:

- (a) The adoptive family has the capability of providing the permanent family relationships needed by the child.
- (b) The needs of the child are beyond the economic resources of the adoptive family.
- (c) The acceptance of the child as a member of the adoptive parent's family would not be in the child's best interest without state adoption maintenance subsidy payments.

(B) The child is a child with special needs who, prior to the finalization of adoption, has at least one of the following needs or circumstances that may be a barrier to the adoption without financial assistance:

- (1) Is part of a sibling group being adopted together or part of a previously adopted biological sibling group with whom the child should be placed.
- (2) Is a member of a minority or ethnic group.
- (3) Is six years of age or older.
- (4) Has remained in the permanent custody of a PCSA or PCPA for more than one year.
- (5) Has a medical condition, physical impairment, or developmental disability.
- (6) Has a mental illness as defined in Chapter 5122. of the Revised Code.
- (7) His or her family has a social or medical history that establishes a substantial risk of the child acquiring a medical condition, physical impairment, or mental or developmental disability that makes it difficult to place the child for adoption without the provision of SAMS. The condition is to be diagnosed by a qualified professional. For the purpose of this rule, a "qualified professional" is an audiologist, licensed independent social worker, licensed professional clinical counselor, physician, physician assistants, or orthopedist, marriage and family therapist, psychiatrist, psychologist or speech/language pathologist or other licensed/certified professionals that are under the direct supervision of any of the professionals listed in this paragraph. The qualified professional is to:
 - (a) Diagnose a medical, or physical impairment, or mental or developmental disability within the professional's area of expertise.

- (b) Not be responsible for providing casework services to the child.
- (c) Provide a clear written statement of the child's diagnosis supported by an assessment or evaluation which includes an opinion as to the origin of the problem, past history, prognosis and recommendations related to future treatment needs.
- (8) Has been in the home of his or her prospective adoptive parents as a foster child for at least six months and would experience severe separation and loss if placed in another setting due to his or her significant emotional ties with these foster parents as determined and documented by a qualified mental health professional.
- (9) Has experienced previous adoption disruption or multiple placements.
- (C) At the time of the initial application, an adoptive family is eligible for payments under SAMS if all the requirements in paragraphs (A)(1) to (A)(5) and at least one of the criteria listed in paragraphs (B)(1) to (B)(9) of this rule are met and the adoptive parent's annual gross income does not exceed one hundred twenty per cent of the median income of a family of the same size, as most recently determined for this state pursuant to division (B) of section 5153.163 of the Revised Code.
- (D) The adoptive parent(s) is to complete the JFS 01613 "Application for State Adoption Maintenance Subsidy" and provide verification of the family's annual gross income by submitting the following as applicable:

 - (1) The most recent U.S. department of internal revenue service (IRS) income tax form.
 - (2) Proof of receipt of benefits from the social security administration.
 - (3) Proof of receipt of workers compensation.
 - (4) Any other income verification from other providers of pension benefits.
 - (5) Grant funds received in accordance with rule 5101:2-44-15 of the Administrative Code are not to be considered when reviewing the verification of the family's annual gross income.
- (E) Approval or denial of the JFS 01613 is to occur prior to the adoption finalization.
- ~~(B) If paragraphs (A)(1) to (A)(4), (A)(6) and (A)(7) of this rule are met, and paragraph (A)(5)(g) of this rule is the sole basis for the determination that the child is a child with special needs, the PCSA shall enter into a JFS 01615 "Approval for State Adoption~~

~~Maintenance Subsidy" (rev. 4/2019) with the adoptive parent(s) with no payment. The adoptive parent(s) may request an amendment of the agreement to include subsidy payments if the child develops a condition, impairment, or disability as described in paragraph (A)(5)(g) of this rule.~~

~~(C) An adoptive family is eligible for payments under SAMS if all the requirements in paragraph (A) of this rule are met and at the time of the initial application:~~

~~(1) The adoptive parent's annual gross income does not exceed one hundred twenty per cent of the median income of a family of the same size, included in the family size count is the adoptive child, as most recently determined for this state pursuant to division (B) of section 5153.163 of the Revised Code.~~

~~(2) The adoptive parent provides verification of the family's annual gross income by submitting the following as applicable:~~

~~(a) The most recent U.S. department of internal revenue service (IRS) income tax form.~~

~~(b) Proof of receipt of benefits from the social security administration.~~

~~(c) Proof of receipt of workers compensation.~~

~~(d) Any other income verification from other providers of pension benefits.~~

~~(D)~~(F) The SAMS payment amount shall be agreed upon between the PCSA and the adoptive parent(s) and shall be based upon the needs of the adoptive child and in accordance with the PCSA's adoption policy.

(G) If paragraphs (A)(1) to (A)(5) are met and paragraph (B)(7) of this rule is the sole special needs determination that the child is a child with special needs, the PCSA is to enter into an agreement with the adoptive parent(s) with no payment. The adoptive parent(s) may request an amendment of the agreement to include subsidy payments if the child develops a condition, impairment, or disability as described in paragraph (B)(7) of this rule.

~~(E)~~(H) For the beginning of each state fiscal year a procedure letter that identifies the maximum monthly funding level for SAMS will be published on the Ohio department of job and family services (ODJFS) website. If a PCSA negotiates a payment in excess of the maximum SAMS payment identified in the procedure letter, the PCSA shall enter into a separate county agreement with the adoptive parent for a county adoption maintenance subsidy (CAMS).

Effective: 8/5/2023
Five Year Review (FYR) Dates: 5/19/2023 and 08/05/2028

CERTIFIED ELECTRONICALLY

Certification

07/24/2023

Date

Promulgated Under: 119.03
Statutory Authority: 5153.163
Rule Amplifies: 5153.163,5153.16
Prior Effective Dates: 10/02/1980, 08/31/1985 (Emer.), 11/25/1985,
07/01/1990, 01/13/1992 (Emer.), 04/11/1992,
05/01/2003, 07/01/2004, 07/01/2008, 05/01/2009,
08/10/2009 (Emer.), 08/13/2009 (Emer.), 11/09/2009,
06/01/2010, 09/15/2014, 08/01/2019

5101:2-44-08

Redetermination and amendment of a state adoption maintenance subsidy.

- (A) This rule does not apply when the Ohio department of job and family services (ODJFS) determines that state funds are not available to maintain the state adoption maintenance subsidy (SAMS) program at the current maximum monthly funding level. At the beginning of each state fiscal year, the ODJFS shall issue a procedure letter that identifies the maximum monthly funding level for the SAMS.
- (B) The public children services agency (PCSA) shall complete a redetermination of each SAMS one year from the initial effective date of the JFS 01615 "State Adoption Maintenance Subsidy Agreement," ~~(rev. 4/2019)~~.
- (C) Redeterminations shall include the following:
- (1) The PCSA shall provide written notice of the redetermination to the adoptive parent(s) at least ninety days prior to the annual redetermination date of the JFS 01615.
 - (2) The redetermination notice shall request the adoptive parent(s) return the following applicable documents within forty-five days of the annual redetermination date:
 - (a) The most recent U.S. department of internal revenue service (IRS) income tax form.
 - (b) Proof of receipt of benefits from the social security administration.
 - (c) Proof of receipt of workers compensation.
 - (d) Any other income verification from other providers including pension benefits.
 - (e) Grant funds received in accordance with rule 5101:2-44-15 of the Administrative Code are not to be considered when reviewing the verification of the family's annual gross income.
- (D) The PCSA shall determine from the verification submitted by the adoptive parent(s) if the adopted child and adoptive parent(s) remain eligible.
- (E) The PCSA shall complete the JFS 01614 "Redetermination or Amendment of a State Adoption Maintenance Subsidy" ~~(4/2019)~~ at least thirty days prior to the annual redetermination date of the JFS 01615.

- (1) If the redetermination results in no change in the amount of SAMS, the PCSA shall use the JFS 01614 to inform the adoptive parent(s) of the results and the effective date of the subsidy.
 - (2) If the redetermination results in a decrease, suspension or termination of the state adoption maintenance subsidy, the PCSA shall use the JFS 01614 to inform the adoptive parent(s) of the reason for the action, its effective date and submit the JFS 04065 "Prior Notice of Right to a State Hearing" (~~rev. 05/2001~~) pursuant to section 5101.35 of the Revised Code and division 5101:6 of the Administrative Code, informing the adoptive parent(s) the right to a state hearing.
 - (3) If the redetermination results in an increase, the PCSA shall enter into a separate county agreement with the adoptive parent(s) for a county adoption maintenance subsidy.
- (F) If the adoptive parent(s) fails to comply with the requirements of a redetermination as described in this rule, the PCSA shall suspend the SAMS pursuant to rule 5101:2-44-10 of the Administrative Code after ninety days and terminate the SAMS pursuant to rule 5101:2-44-11 of the Administrative Code after one hundred eighty days from the redetermination date.
- (G) An amendment shall be reviewed when requested by the adoptive parent or if the PCSA is aware of:
- (1) Any change in the adoptive child's or adoptive parent(s) eligibility status.
 - (2) The need for an addition or deletion of the SAMS.
- (H) Upon written request by the adoptive parent(s) for an amendment, the PCSA shall do all of the following:
- (1) Review the request to amend the SAMS.
 - (2) Make a determination within thirty days once all documentation to review the amendment is received.
 - (3) Use the JFS 01614 and the JFS 04065 to inform the adoptive parent(s) of the reason for the action, the effective date and of their right to a state hearing pursuant to section 5101.35 of the Revised Code and division 5101:6 of the Administrative Code.
- (I) An adoptive parent receiving a SAMS shall report any significant change in the adoptive family's financial situation or the adoptive child's special needs within thirty days of the change to the PCSA that approved the state adoption maintenance subsidy.

Effective: 8/5/2023

Five Year Review (FYR) Dates: 5/19/2023 and 08/05/2028

CERTIFIED ELECTRONICALLY

Certification

07/24/2023

Date

Promulgated Under: 119.03

Statutory Authority: 5153.163

Rule Amplifies: 5153.163,5153.16

Prior Effective Dates: 10/02/1980, 07/01/1990, 05/01/2003, 07/01/2004,
05/01/2009, 08/10/2009 (Emer.), 08/13/2009 (Emer.),
11/09/2009, 07/01/2010, 05/29/2014, 08/01/2019

5101:2-44-15**Administration and eligibility for the Ohio adoption grant program.**

(A) The Ohio adoption grant program is a one-time payment per child provided to eligible adoptive parents for qualifying adoptions finalized on or after January 1, 2023, as long as state funds are available. In the event state funding is no longer available, the Ohio adoption grant program will close to new applications until additional funds are secured or July first of the following state fiscal year (SFY), whichever occurs first. Once state funds have been exhausted, the Ohio department of job and family services (ODJFS) is not to be held responsible for payment of grant payments for applications that have not been approved.

(B) As used in this rule the following have the same meaning as in section 5101.19 of the Revised Code:

- (1) Adopted child;
- (2) Adoption;
- (3) Adoptive parent;
- (4) Casework services;
- (5) Foster caregiver;
- (6) Qualified professional;
- (7) Special needs.

(C) All of the following requirements are to be met to be eligible for receiving the Ohio adoption grant:

- (1) The adoptive parent(s) resides in Ohio at the time of the application.
- (2) The adoptive parent(s) has not previously received a grant payment from the Ohio adoption grant program for the adopted child for whom the parent is seeking payment.
- (3) The adoptive parent(s) is to submit the JFS 01057 "Application for The Ohio Adoption Grant" and all other documentation pursuant to paragraph (E) of this rule no later than one year after the final adoption order, interlocutory order of adoption, or recognition of the adoption by this state under section 3107.18 of the Revised Code for the adopted child for whom the grant payment is sought.

(4) The adoption was not by a parent whose spouse is a biological or adoptive parent of the child prior to the adoption for which the payment is sought.

(D) If all of the requirements of paragraph (C) in this rule are met, a one-time payment is to be issued to the adoptive parent in accordance to the following:

(1) Ten thousand dollars; or

(2) Fifteen thousand dollars, if the parent was a certified foster caregiver for the child prior to adoption; or

(3) Twenty thousand dollars, if a qualified professional who does not provide casework services to the adopted child diagnoses the child with one or more special needs in the professional's area of expertise prior to the final order of adoption, interlocutory order of adoption, or recognition of the adoption by this state under section 3107.18 of the Revised Code.

(E) The following documentation is to be provided to ODJFS by the adoptive parent(s) with the JFS 01057 for approval and determination of eligible fund amount:

(1) A copy of a final order of adoption, an interlocutory order of adoption, or recognition of the adoption under section 3107.18 of the Revised Code.

(2) United States internal revenue service (IRS) form W-9, "Request for Taxpayer Identification Number and Certification."

(3) Two forms of identification:

(a) Current identification for Ohio residence of the adoptive parent(s).

(b) United States social security card of adoptive parent(s).

(F) The following documentation, as applicable, is to be provided to ODJFS by the adoptive parent(s) with the JFS 01057 for approval and determination of eligible fund amount:

(1) Documentation the adoptive parent(s) was a foster caregiver(s) for the child prior to the adoption. The documentation containing information on the placement of the child, including name of the child, name of the foster parent(s) and placement dates can be provided by the public children services agency or private child placing agency.

(2) Documentation of the adopted child's diagnoses as outlined in paragraph (D)(3) of this rule on the JFS 01058 "Ohio Adoption Grant Program Special Needs Documentation."

- (G) ODJFS will review the JFS 01057 and all submitted documentation described in paragraphs (E) and (F) of this rule to determine if the requirements for the Ohio adoption grant program are met and provide the family with a decision of approved or denied.
- (H) Approved adoptive parent(s) will be informed of the payment amount and issued a one-time payment according to paragraph (D) of this rule by ODJFS.
- (I) Adoptive parent(s) who have been denied as not meeting eligibility requirements for the Ohio adoption grant program will be notified by ODJFS and informed why the application was denied and may request a second review of the JFS 01057 no later than thirty days from the date of denial.
- (J) Upon receipt of a request for a second review, ODJFS will review the JFS 01057. The second review will be conducted by the ODJFS administrative/management staff within ODJFS.
- (1) If ODJFS' second review approves, the adoptive parent(s) will be issued a one-time payment, according to paragraph (D) of this rule.
- (2) If ODJFS' second review denies, ODJFS will notify the adoptive parent(s) of the denial.
- (K) In accordance with division (C) of section 5101.193 of the Revised Code, any department, agency, or division of the state, including the department of health, is to provide any document related to the adoption upon request supporting the application for the Ohio adoption grant.

Effective: 8/5/2023

Five Year Review (FYR) Dates: 08/05/2028

CERTIFIED ELECTRONICALLY

Certification

07/24/2023

Date

Promulgated Under: 119.03
Statutory Authority: 5101.19, 5101.191, 5101.192, 5101.193, 5101.194
Rule Amplifies: 5101.19, 5101.191, 5101.192, 5101.193, 5101.194

Ohio Department of Job and Family Services
APPLICATION FOR THE OHIO ADOPTION GRANT

SECTION I: ADOPTIVE PARENT(S) INFORMATION			
Name of Adoptive Parent (First and Last)		Race*	Ethnicity*
Social Security Number	Date of Birth (mm/dd/yyyy)	Email	Phone Number
Address		City, State and Zip Code	
Name of Adoptive Parent (First and Last)		Race*	Ethnicity*
Social Security Number	Date of Birth (mm/dd/yyyy)	Email	Phone Number
Address		City, State and Zip Code	
Name of Adoptive Parent who will be payee for the Ohio Adoption Grant payment			
SECTION II: ADOPTIVE CHILD'S INFORMATION			
Name of Adoptive Child (First and Last)			<input type="checkbox"/> Male <input type="checkbox"/> Female
Social Security Number	Date of Birth (mm/dd/yyyy)	Race*	Ethnicity*
Type of Adoption (select one):			
<input type="checkbox"/> Attorney/Independent <input type="checkbox"/> International <input type="checkbox"/> Private Agency <input type="checkbox"/> Public <input type="checkbox"/> Step-Parent <input type="checkbox"/> Other _____			
Date Adoption Finalized (mm/dd/yyyy)			
SECTION III: DOCUMENTATION TO BE ATTACHED			
<u>All Grant requests:</u>			
<input type="checkbox"/> Copy of photo identification for Ohio residence with name and address of payee only <input type="checkbox"/> A completed IRS W-9 form of payee only <input type="checkbox"/> Copy of social security card of payee only			
<u>All Grant requests (select one):</u>			
<input type="checkbox"/> Final adoption order <input type="checkbox"/> Interlocutory order of adoption <input type="checkbox"/> Recognition of the adoption by this state under section 3107.08 of the Revised Code			
<u>Adoption by Foster Caregiver, if applicable</u>			
<input type="checkbox"/> Attach documentation with paperwork indicating adoptive parent(s) cared for the adopted child as a foster caregiver(s) prior to the adoption.			
<u>Adoption of a Child Diagnosed with Special Needs, if applicable</u>			
<input type="checkbox"/> Attach JFS 01058 Ohio Adoption Grant Program Special Needs Documentation completed by a qualified professional who does not provide casework services to the adopted child diagnosed the child with one or more special needs in the professional's area of expertise prior to the final order of adoption, interlocutory order of adoption, or recognition of the adoption by this state under section 3107.18 of the Revised Code.			

*Statistical purposes only.

SECTION IV: AFFIRMATION

- I/We affirm, under penalty of perjury, that the information given in this application is accurate.
- I/We understand that verification of a finalized adoption on or after January 1, 2023, and proof of residency in Ohio will be required.
- I/We understand that I/we must apply within one calendar year of my/our adoption finalization.
- I/We understand and agree that other persons or organizations may be contacted to obtain the necessary proof of eligibility. I/We understand that in some instances, I/we may be asked to give consent to make whatever contacts necessary to determine eligibility.
- I/We acknowledge that approval is contingent upon the availability of state funds for this program. I/We understand that to be eligible for Ohio Adoption Grant funds, I/we am required to submit a copy a completed W-9 form, two forms of identification, and proof of a finalized adoption. If applicable, I/we may need to submit proof that I/we was a foster caregiver(s) to this child prior to adoption. If the child has a diagnosed special need, I/we will be required to submit a completed OAGP Special Needs Form (JFS 01058).
- I/We affirm that I/we have not previously received a grant payment from the Ohio Adoption Grant Program for the child I/we are submitting this application.
- I/We understand that all/portion of any grant awarded can be intercepted if I/we owe past child/spousal support.
- I/We understand that my application will be reviewed and once my eligibility has been determined, I/we will be contacted with a decision.

Signature of Adoptive Parent	Date	Signature of Adoptive Parent	Date
------------------------------	------	------------------------------	------

SECTION V: FOR AGENCY COMPLETION

Ohio Adoption Grant Application Review:

- The child did not previously receive a payment from the Ohio Adoption Grant Program.
- This is not a step-parent adoption.
- The adoption was finalized on or after January 1, 2023.
- The date of application is not more than one year past the date of the adoption finalization.
- Adoptive parent(s) resides in Ohio at the time of signing the application.

- Copy of identification for Ohio residence of the adoptive parent(s) with name and current address attached.
- IRS W-9 attached for adoptive parent who is payee.
- Copy of Social Security card attached for adoptive parent who is payee.

- Documentation stating the adoptive parent(s) was the foster caregiver(s) to the child prior to adoption.
- JFS 01058 Ohio Adoption Grant Program Special Needs Documentation complete.

Approved
Amount of Ohio Adoption Grant:

Denied
Reason for Denial:

Name of Reviewer	Date
------------------	------

Right to a Second Review: You have a right to a second review, no later than thirty days from the date of denial, by the Ohio Department of Job and Family Services, if your application is denied. Please contact ODJFS for request.

Second Review:

Approved
Amount of Ohio Adoption Grant:

Denied
Reason for Denial:

Name of Reviewer	Date
------------------	------

Ohio Department of Job and Family Services
**INSTRUCTIONS FOR COMPLETING JFS 01057
APPLICATION FOR THE OHIO ADOPTION GRANT**

The following definitions are applicable when completing this application:

1. **"Adopted child"** means a person who is less than eighteen years of age when the person becomes subject to a final order of adoption, an interlocutory order of adoption, or when the adoption is recognized by this state under section 3107.18 Foreign decrees of the Revised Code.
2. **"Adoption"** includes an adoption arranged by an attorney, a public children services agency, private child placing agency, or a private noncustodial agency, an interstate adoption, or an international or foreign adoption.
3. **"Adoptive parent"** means the person or persons who obtain parental rights and responsibilities over an adopted child pursuant to a final order of adoption, an interlocutory order of adoption, or an adoption recognized by this state under section 3107.18 Foreign decrees of the Revised Code.
4. **"Casework services"** means services performed or arranged by a public children services agency, private child placing agency, private noncustodial agency, or public entity with whom the department of job and family services has a Title IV-E subgrant agreement in effect, to manage the progress, provide supervision and protection of the child and the child's parent, guardian, or custodian.
5. **"Foster caregiver"** has the same meaning as in section 5103.02 Placement of Children Definitions of the Revised Code.
 - o ORC 5103.02 (C) "Foster caregiver" means a person holding a valid foster home certificate issued under section 5103.03 Rules for adequate and competent management of institutions or associations of the Revised Code.
6. **"Qualified professional"** means an individual that is, but not limited to, any one of the following: an audiologist, orthopedist, physician, certified nurse practitioner, physician assistant, psychiatrist, psychologist, school psychologist, licensed marriage and family therapist, speech and language pathologist, licensed independent social worker, licensed professional clinical counselor, licensed social worker who is under the direct supervision of a licensed independent social worker or licensed professional counselor who is under the direct supervision of a licensed professional clinical counselor.
7. **"Special needs"** means any of the following:
 - (1) A developmental disability as defined in section 5123.01 Department of Developmental Disabilities Definitions of the Revised Code;
 - o ORC 5123.01 (Q) "Developmental disability" means a severe, chronic disability that is characterized by all of the following:
 - 1) It is attributable to a mental or physical impairment or a combination of mental and physical impairments, other than a mental or physical impairment solely caused by mental illness, as defined in division (A) of section 5122.01 of the Revised Code.
 - 2) It is manifested before age twenty-two.
 - 3) It is likely to continue indefinitely.
 - 4) It results in one of the following:
 - a. In the case of a person under three years of age, at least one developmental delay, as defined in rules adopted under section 5123.011 of the Revised Code, or a diagnosed physical or mental condition that has a high probability of resulting in a developmental delay, as defined in those rules;
 - b. In the case of a person at least three years of age but under six years of age, at least two developmental delays, as defined in rules adopted under section 5123.011 of the Revised Code;
 - c. In the case of a person six years of age or older, a substantial functional limitation in at least three of the following areas of major life activity, as appropriate for the person's age: self-care, receptive and expressive language, learning, mobility, self-

direction, capacity for independent living, and, if the person is at least sixteen years of age, capacity for economic self-sufficiency.

- 5) A physical or mental impairment that substantially limits one or more of the major life activities;
- 6) Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more body systems;
- 7) Any mental or psychological disorder;
- 8) A medical condition causing distress, pain, dysfunction, or social problems as diagnosed by a qualified professional that results in ongoing medical treatment.

SECTION I: Adoptive Parent(s) Information

Name of Adoptive Parent/Race/Ethnicity: Enter the first and last name of the adoptive parent(s). Enter race and ethnicity of the adoptive parent(s). This information is for statistical purposes only. Leaving this blank will not affect your application.

Social Security Number/ Date of Birth/Email/Phone Number: Enter nine-digit social security number of the adoptive parent(s). Enter with two-digit month, two-digit day and four-digit year of adoptive parent(s) date of birth. Enter the email and phone number (including area code) of the adoptive parent(s).

Address/City/State/Zip Code: Enter the street address, city, state, and zip code of the adoptive parent(s).

Name of Adoptive Parent who will be payee for the Ohio Adoption Grant payment: Only one person can receive payment. Enter the first and last name of the adoptive parent to whom the payment will be issued. The payee will also complete the IRS W-9.

SECTION II: Adoptive Child's Information

Name of Adoptive Child/Gender: Enter the first and last name of the adoptive child. Check the box of the gender of the adoptive child.

Social Security Number/Date of Birth /Race/Ethnicity: Enter nine-digit social security number of the adoptive child. Enter the two-digit month, two-digit day and four-digit year of the adoptive child's date of birth. Enter race and ethnicity of the adoptive child. The race and ethnicity are for statistical purposes only. Leaving this blank will not affect your application.

Type of Adoption: Check one box that applies to the type of adoption.

Date Adoption Finalized: Enter with two-digit month, two-digit day and four-digit year for the date the child's adoption was finalized.

SECTION III: Documentation to be Attached

All Grant requests: Each box must be checked, and documentation provided for each.

Check the box to indicate photo identification for Ohio residence with name and address of the adoptive parent(s), who is the payee, is attached to the application.

Check the box to indicate a completed IRS W-9 form completed by the payee is attached to the application.

Check the box to indicate a copy of the adoptive parent, who is the payee, United States Social Security card is attached to the application.

All Grant requests (select one): Check the box and attach documentation that applies to the type of adoption finalization documentation.

Adoption by Foster Caregiver (if you are requesting a \$15,000 grant payment): Check the box and attach documentation to indicate adoptive parent cared for the adopted child prior to the adoption as a foster caregiver. Adoptive parent will need to contact the Public Children Services Agency or adoption agency they were licensed as a foster parent for documentation.

Special Needs adoption (if you are requesting a \$20,000 grant payment): Check the box and attach JFS 01058 "Ohio Adoption Grant Program Special Needs Documentation" form. Adoptive parent will need to provide the JFS 01058 to be the qualified professional to be completed. The qualified professional will need to give the adoptive parent the form back to attach with the JFS 1057 Application for The Ohio Adoption Grant.

SECTION IV: Affirmation

Affirmation boxes: Check each box acknowledging you, adoptive parent(s), are aware of the information given.
Signature of Adoptive Parent(s): Application must be signed by the adoptive parent(s). By signing this application, you confirm that the information is accurate. (In accordance with section 2921.13 of the Ohio Revised Code, it is a misdemeanor of the first degree to knowingly falsify statements when the statement is made to secure benefits administered by a governmental agency or paid out of a public treasury.)
Date: Enter with two-digit month, two-digit day and four-digit year the application was signed by the adoptive parent(s).

If the application is not submitted on-line, the completed application and required documentation is to be submitted to OFC-Ohioadoptiongrant@jfs.ohio.gov

SECTION V: For Agency Completion

Questions to guide ODJFS for determining the adoptive parent(s) eligibility for approval:

- For \$10,000:
- The child did not previously receive a payment from the Ohio Adoption Grant Program.
 - This is not a step-parent adoption.
 - The adoption was finalized on or after January 1, 2023.
 - The date of application is not more than one year past the date of the adoption finalization.
 - Adoptive parent(s) resides in Ohio at the time of signing the application.
 - Copy of identification for Ohio residence of the adoptive parent(s) with name and current address attached.
 - IRS W-9 attached for adoptive parent who is payee.
 - Copy of Social Security card attached for adoptive parent who is payee.

OR

- For \$15,000:
- All boxes listed for \$10,000 approval checked.
 - Documentation stating the adoptive parent(s) was the foster caregiver(s) to the child prior to adoption.

OR

- For \$20,000:
- All boxes listed for \$10,000 approval checked.
 - JFS 01058 Ohio Adoption Grant Program Special Needs Documentation complete.

ODJFS will indicate whether the application for the Ohio Adoption Grant is approved or denied in the appropriate box.

For approval, ODJFS will provide the amount of Ohio Adoption Grant approved and a one-time payment will be issued to the adoptive parent stated on the application.

For denial, ODJFS will provide the reason in the appropriate space and provide the applicant(s) the reason for the denial.

If adoptive parent(s) disagrees with a denial, the adoptive parent(s) may contact ODJFS for a secondary review and provide additional documentation.

After Secondary Review, ODJFS will indicate whether the application for the Ohio Adoption Grant is approved or denied in the appropriate box.

For approval, ODJFS will provide the amount of Ohio Adoption Grant approved and a one-time payment will be issued to the adoptive parent stated on the application.

For denial, ODJFS will provide the reason in the appropriate space and provide the applicant(s) the reason for the denial.

Ohio Department of Job and Family Services
OHIO ADOPTION GRANT PROGRAM SPECIAL NEEDS DOCUMENTATION

This form is to be completed by a qualified professional
Please refer to the JFS 1058i for additional instructions and definitions.

Adoptive Child's Name (first and last)	Date of Birth
--	---------------

Check the box and provide diagnosis name, diagnosis code, date of diagnoses and who diagnosed child prior to adoption:

- A developmental disability as defined in section 5123.01 of the Revised Code

Diagnosis:
Diagnosis code:
Date of diagnoses:
Who diagnosed child:

- A physical or mental impairment that substantially limits one or more major life activities

Diagnosis:
Diagnosis code:
Date of diagnoses:
Who diagnosed child:

- Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more body systems

Diagnosis:
Diagnosis code:
Date of diagnoses:
Who diagnosed child:

- Any mental or psychological disorder

Diagnosis:
Diagnosis code:
Date of diagnoses:
Who diagnosed child:

- A medical condition causing distress, pain, dysfunction, or social problems as diagnosed by a qualified professional that results in ongoing medical treatment

Diagnosis:
Diagnosis code:
Date of diagnoses:
Who diagnosed child:

Please explain the special needs of the child prior to adoption with regards to the information above.

Are you the qualified professional who diagnosed the child?

If you are not the qualified professional who diagnosed the child, how are you aware of the diagnosis?

Please explain how the child's special needs are in your area of expertise.

Name of Qualified Professional who diagnosed the child prior to adoption finalization

(first and last name)

Email

Name of Practice/Office

NPI Number

Street Address of Practice/Office

City, State and Zip Code

Phone Number with Area Code

Ohio License #

Licensing Board

Name of Qualified Professional who is completing this form, if it is different than person who provided diagnoses for the child.

(first and last name)

Email

Name of Practice/Office

NPI Number

Street Address of Practice/Office

City, State and Zip Code

Phone Number with Area Code

Ohio License #

Licensing Board

Signature of Qualified Professional completing this form

Date

Ohio Department of Job and Family Services
**INSTRUCTIONS FOR COMPLETING JFS 01058 OHIO ADOPTION GRANT PROGRAM
SPECIAL NEEDS DOCUMENTATION**

The JFS 01058 Ohio Adoption Grant Program Special Needs Documentation form is to be completed by a qualified professional who does not provide casework services to the adopted child diagnoses the child with one or more special needs in the professional's area of expertise prior to the final order of adoption, interlocutory order of adoption, or recognition of the adoption by this state under section 3107.18 of the Revised Code. Per Ohio Revised Code 5101.192 (B)(2).

The following definitions are applicable when completing this form:

1. **"Adopted child"** means a person who is less than eighteen years of age when the person becomes subject to a final order of adoption, an interlocutory order of adoption, or when the adoption is recognized by this state under section 3107.18 Foreign decrees of the Revised Code.
2. **"Casework services"** means services performed or arranged by a public children services agency, private child placing agency, private noncustodial agency, or public entity with whom the department of job and family services has a Title IV-E subgrant agreement in effect, to manage the progress, provide supervision and protection of the child and the child's parent, guardian, or custodian.
3. **"Qualified professional"** means an individual that is, but not limited to, any one of the following: an audiologist, orthopedist, physician, certified nurse practitioner, physician assistant, psychiatrist, psychologist, school psychologist, licensed marriage and family therapist, speech and language pathologist, licensed independent social worker, licensed professional clinical counselor, licensed social worker who is under the direct supervision of a licensed independent social worker or licensed professional counselor who is under the direct supervision of a licensed professional clinical counselor.
7. **"Special needs"** means any of the following:
 - (1) A developmental disability as defined in section 5123.01 Department of Developmental Disabilities Definitions of the Revised Code;
 - ORC 5123.01 (Q) "Developmental disability" means a severe, chronic disability that is characterized by all of the following:
 - 1) It is attributable to a mental or physical impairment or a combination of mental and physical impairments, other than a mental or physical impairment solely caused by mental illness, as defined in division (A) of section 5122.01 of the Revised Code.
 - 2) It is manifested before age twenty-two.
 - 3) It is likely to continue indefinitely.
 - 4) It results in one of the following:
 - a. In the case of a person under three years of age, at least one developmental delay, as defined in rules adopted under section 5123.011 of the Revised Code, or a diagnosed physical or mental condition that has a high probability of resulting in a developmental delay, as defined in those rules;
 - b. In the case of a person at least three years of age but under six years of age, at least two developmental delays, as defined in rules adopted under section 5123.011 of the Revised Code;
 - c. In the case of a person six years of age or older, a substantial functional limitation in at least three of the following areas of major life activity, as appropriate for the person's age: self-care, receptive and expressive language, learning, mobility, self-direction, capacity for independent living,

and, if the person is at least sixteen years of age, capacity for economic self-sufficiency.

- 5) A physical or mental impairment that substantially limits one or more of the major life activities;
- 6) Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more body systems;
- 7) Any mental or psychological disorder;
- 8) A medical condition causing distress, pain, dysfunction, or social problems as diagnosed by a qualified professional that results in ongoing medical treatment.

Adoptive Child's Name: Enter the first and last name of the adoptive child.

Date of Birth: Enter the two-digit month, two-digit day and four-digit year of the adoptive child's date of birth.

Check the box and provide diagnosis name, diagnosis code, date of diagnoses and who diagnosed child prior to adoption: The qualified professional checks one or more boxes that applies to which area of special needs the child identified on this form has and provides diagnosis name, diagnosis code, date of diagnoses and who diagnosed child prior to adoption.

Please explain the special needs of the child prior to adoption with regards to the information above: The qualified professional provides a clear written statement about the child's special needs in relation to what area of special need was marked in the boxes above. The special need is to occur prior to the adoption.

Are you the qualified professional who diagnosed the child? If you are not the qualified professional who diagnosed the child, how are you aware of the diagnosis? Please explain how the child's special needs are in your area of expertise: The qualified professional states if they are the professional that diagnosed the child prior to adoption and if not, then information on who diagnosed the child is given. The professional should state how they are aware of the diagnosis and if they have records [of the diagnosis](#). The professional provides a detailed narrative about their area of expertise in relation to the child's special needs.

Name of Qualified Professional who diagnosed the child prior to adoption finalization: Enter the first and last name of the qualified professional who diagnosed the child prior to adoption finalization.

Email: Enter the email of the qualified professional.

Name of Practice/Office: Enter the name of the practice.

NPI number: Enter the provider or practice's 10-digit National Provider Identifier (NPI).

Street Address of Practice/Office: Enter the location of the practice.

City, State and Zip Code: Enter the city, state and zip code where the practice is located.

Phone Number: Enter the area code and phone number of the practice.

Ohio License #: Enter the license number of the qualified professional

Licensing Board: Enter the name of the licensing board in which the qualified professional is authorized to practice.

Name of Qualified Professional who is completing this form, if it is different than person who provided diagnoses for the child: Enter the first and last name of the qualified professional who diagnosed the child prior to adoption finalization.

Email: Enter the email of the qualified professional.

Name of Practice/Office: Enter the name of the practice.

NPI number: Enter the provider or practice's 10-digit National Provider Identifier (NPI).

Street Address of Practice/Office: Enter the location of the practice.

City, State and Zip Code: Enter the city, state and zip code where the practice is located.

Phone Number: Enter the area code and phone number of the practice.

Ohio License #: Enter the license number of the qualified professional

Licensing Board: Enter the name of the licensing board in which the qualified professional is authorized to practice.

Signature of Qualified Professional completing this form: Application must be signed by the qualified professional. By signing this application, you confirm that the information is accurate. (In accordance with section 2921.13 of the Ohio Revised Code, it is a misdemeanor of the first degree to knowingly falsify statements when the statement is made to secure benefits administered by a governmental agency or paid out of a public treasury.)

Date: Enter with two-digit month, two-digit day and four-digit year the application was signed by the qualified professional.