



Ohio Revised Code

Section 5101.1411 Federal payments for foster care and adoption assistance.

Effective: September 13, 2016

Legislation: House Bill 50 - 131st General Assembly

(A)(1) The director of job and family services shall, not later than nine months after the effective date of H.B. 50 of the 131st general assembly, submit an amendment to the state plan required by 42 U.S.C. 671 to the United States secretary of health and human services to implement 42 U.S.C. 675(8) to make federal payments for foster care under Title IV-E directly to, or on behalf of, any person who meets the following requirements:

- (a) The person has attained the age of eighteen but not attained the age of twenty-one.
- (b) The person was in the custody of a public children services agency upon attaining the age of eighteen.
- (c) The person signs a voluntary participation agreement.
- (d) The person satisfies division (C) of this section.

(2) Any person who meets the requirements of division (A) (1) of this section may apply for foster care payments and make the appropriate application at any time.

(B)(1) The director of job and family services shall, not later than nine months after the effective date of H.B. 50 of the 131st general assembly, submit an amendment to the state plan required by 42 U.S.C. 671 to the United States secretary of health and human services to implement 42 U.S.C. 675(8) to make federal payments for adoption assistance under Title IV-E available to any parent who meets all of the following requirements:

- (a) The parent adopted a person while the adopted person was sixteen or seventeen and had been in the custody of a public children services agency, or the parent enters into an adoption assistance agreement under 42 U.S.C. 673;



(b) The adopted person has attained the age of eighteen but has not attained the age of twenty-one;

(c) The parent maintains parental responsibility to that adopted person;

(d) The adopted person satisfies division (C) of this section.

(2) Any parent who meets the requirements of division (B) (1) of this section that are applicable to a parent may request an extension of adoption assistance payments at any time before the adopted person reaches age twenty-one.

(C) In addition to other requirements, a person who is in foster care or has been adopted must meet at least one of the following criteria:

(1) Is completing secondary education or a program leading to an equivalent credential;

(2) Is enrolled in an institution that provides post- secondary or vocational education;

(3) Is participating in a program or activity designed to promote, or remove barriers to, employment;

(4) Is employed for at least eighty hours per month;

(5) Is incapable of doing any of the activities described in division (C)(1) to (4) of this section due to a medical condition, which incapacity is supported by regularly updated information in the person's case record or plan.

(D) Any person described in division (A)(1) of this section who is directly receiving foster care payments, or on whose behalf such foster care payments are received, or any parent receiving adoption assistance payments, pursuant to this section may refuse the payments at any time. If the person or parent refuses payments and seeks payments at a later date, the person or parent must reapply for the payments in accordance with this section.

(E)(1) A person described in division (A)(1) of this section who is directly receiving foster care payments, or on whose behalf such foster care payments are received, or a parent receiving adoption



assistance payments and the adopted person, pursuant to this section, shall be eligible for services set forth in the federal, "Fostering Connections to Success and Increasing Adoptions Act of 2008," P.L. 110-351, 122 Stat. 3949.

(2) A person described in division (A)(1) of this section who is directly receiving foster care payments, or on whose behalf such foster care payments are received, pursuant to this section, may be eligible to reside in a supervised independent living setting, including apartment living, room and board arrangements, college or university dormitories, host homes, and shared roommate settings.

(F) Any determination by the department that terminates foster care or adoption assistance payments shall be subject to a state hearing pursuant to section 5101.35 of the Revised Code.