



Ohio Revised Code

Section 5101.1418 Post-adoption special services subsidy payments.

Effective: September 30, 2021

Legislation: House Bill 110 - 134th General Assembly

(A)(1) If, after a child's adoption is finalized, the department of job and family services considers the child to be in need of public care or protective services, the department may, to the extent state funds are available for this purpose, enter into an agreement with the child's adoptive parent under which the department may make post adoption special services subsidy payments on behalf of the child as needed when both of the following apply:

(a) The child has a physical or developmental disability or mental or emotional condition that either:

(i) Existed before the adoption petition was filed; or

(ii) Developed after the adoption petition was filed and can be directly attributed to factors in the child's preadoption background, medical history, or biological family's background or medical history.

(b) The department determines the expenses necessitated by the child's disability or condition are beyond the adoptive parent's economic resources.

(2) Services for which the department may make post adoption special services subsidy payments on behalf of a child under this section shall include medical, surgical, psychiatric, psychological, and counseling services, including residential treatment.

(3) The department shall establish clinical standards to evaluate a child's physical or developmental disability or mental or emotional condition and assess the child's need for services.

(4) The total dollar value of post adoption special services subsidy payments made on a child's behalf shall not exceed ten thousand dollars in any fiscal year, unless the department determines that extraordinary circumstances exist that necessitate further funding of services for the child. Under such extraordinary circumstances, the value of the payments made on the child's behalf shall not



exceed fifteen thousand dollars in any fiscal year.

(5) The adoptive parent or parents of a child who receives post adoption special services subsidy payments shall pay at least five per cent of the total cost of all services provided to the child; except that the department may waive this requirement if the gross annual income of the child's adoptive family is not more than two hundred per cent of the federal poverty guideline.

(6) The department may use other sources of revenue to make post adoption special services subsidy payments, in addition to any state funds appropriated for that purpose.

(7) The department may contract with another person to carry out any of the duties described in this section.

(B) No payment shall be made on behalf of any person eighteen years of age or older beyond the end of the school year during which the person attains the age of eighteen or on behalf of a mentally or physically disabled person twenty-one years of age or older.

(C) The director of job and family services, not later than July 1, 2022, shall adopt rules in accordance with Chapter 119. of the Revised Code necessary to implement this section. The rules shall establish all of the following:

(1) The application process for all forms of assistance provided under this section;

(2) Standards for determining the children who qualify to receive assistance provided under this section;

(3) The method of determining the amount, duration, and scope of services provided to a child;

(4) The method of transitioning the post adoption special services subsidy program from public children services agencies to the department;

(5) Any other rule, requirement, or procedure the department considers appropriate for the implementation of this section.



(D) The department shall implement this section not later than July 1, 2022.