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AGENCY PLAN FOR TITLE IV-E OF THE SOCIAL SECURITY ACT
FOSTER CARE AND ADOPTION ASSISTANCE
STATE OF OHIO

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
ADMINISTRATION FOR CHILDREN AND FAMILIES
CHILDREN'S BUREAU
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PLAN FOR TITLE IV-E OF THE SOCIAL SECURITY ACT

FEDERAL PAYMENTS FOR FOSTER CARE AND ADOPTION ASSISTANCE

STATE OF OHIO

As a condition of the receipt of Federal funds under title IV-E of the Social Security Act (hereinafter, the Act), the

Ohio Department of Job and Family Services

submits here a plan for the programs to provide, in appropriate cases, foster care and adoption assistance, and if the State/Tribal agency elects, guardianship assistance, under title IV-E of the Act and hereby agrees to administer the programs in accordance with the provisions of this plan, title IV-E of the Act, and all applicable Federal regulations and other official issuances of the Department.

The official text of laws, regulations and official issuances governs, and the State/Tribal agency acknowledges its responsibility to adhere to them regardless of the fact that, for purposes of simplicity, the specific provisions printed herein are sometimes paraphrases of, or excerpts and incomplete quotations from, the full text. Statutory citations refer to provisions in title IV-E of the Social Security Act. Regulatory citations refer to provisions in 45 CFR Parts 1355 and 1356.

The State/Tribal agency understands that if and when title IV-E is amended or regulations are revised, a new or amended plan for title IV-E that conforms to the revisions must be submitted.

Federal Regulatory/ Statutory References[1]	Requirement	State Regulatory, Statutory, and Policy References and Citations for Each
	SECTION 1. ORGANIZATION	
471(a)(2)	A. DESIGNATION AND AUTHORITY OF STATE/ TRIBAL AGENCY The State/Tribal agency has been designated to administer or supervise the administration of the programs under this plan. (See Attachment I.) It is also the agency that administers or supervises the administration of the State/Tribal Child Welfare Services Plan under subpart 1 of title IV-B of the Act.	**Ohio Revised Code Section:** 5101.141, 5103.07
	B. STATE/TRIBAL AGENCY STRUCTURE AND FUNCTION The State/Tribal agency has available upon request an organizational chart of the agency and a description of the functions of each of its organizational units as they relate to the administration or supervising the administration of the title IV-E foster care maintenance, adoption assistance, and (at IV-E agency option) guardianship assistance program.	Organizational chart available upon request.
471(a)(3)	C. STATE OR SERVICE AREA WIDE OPERATIONS	**Ohio Administrative Code rules:**

[1] Statutory references refer to the Social Security Act. Regulatory references refer to Title 45 of the Code of Federal Regulations (CFR).

	The title IV-E plan for foster care, adoption assistance, and guardianship assistance if elected by the State/ Tribe, is in effect in all political subdivisions and service areas. (Tribes, see also section 7)	5101:2-33-18, 5101:2-47-01
471(a)(4)	D. COORDINATION WITH TITLES IV-A AND IV-B PROGRAMS The title IV-E program is coordinated at the local level with the programs at the State/Tribal or local level assisted under titles IV-A, IV-B and XX of the Act and under all appropriate provisions of Federal law.	**Ohio Revised Code section:** 5153.166 **Ohio Administrative Code rules:** 5101:2-33-18, 5101:2-47-01, 5101:2-47-04, 5101:2-47-08, 5101:2-47-20, 5101;2-49-23
471(a)(17)	E. CHILD SUPPORT ENFORCEMENT FOR CERTAIN CHILDREN IN FOSTER CARE The State/Tribal agency takes all appropriate steps, including cooperative efforts with the State or Tribal agencies administering the plans approved under titles IV-A and -D, to secure an assignment to the State or Tribe of any rights to support on behalf of each child receiving foster care maintenance payments under title IV-E.	**Ohio Administrative Code rule:** 5101:2-47-08

Federal Regulatory/ Statutory References	Requirement	State Regulatory, Statutory, and Policy References and Citations for Each
	SECTION 2. FOSTER CARE MAINTENANCE PAYMENTS	
471(a)(1)	A. ELIGIBILITY (Tribes, also see section 7 of this pre-print) 1. Payments are provided for each child:	Payments are provided for each child who meets the following requirements.
472(a)(1)&(2)	a. who meets the requirements of section 406(a) of the Act (as in effect 7/16/96) is removed from the home of a relative specified in section 406(a), and is placed in foster care if: i. the removal and foster care placement met and continues to meet the requirements of paragraph (2) in section 472(a) of the Act; and ii. the child, while in the home, would have met the Aid to Families with Dependent Children (AFDC) program eligibility requirement of paragraph (3) in section 472(a) of the Act;	**Ohio Administrative Code rules:** 5101:2-47-13, 5101:2-47-14

472(a)(2)(A) 1356.21(c)	b. whose removal and foster care placement are in accordance with: i. a voluntary placement agreement entered into by the child's parent or legal guardian, who is the relative referred to in paragraph (1) of section 472(a) of the Act; or ii. a judicial determination to the effect that continuation of residence in the home from which removed would be contrary to the welfare, or that the placement would be in the best interest, of the child and that reasonable efforts of the type described in section 471(a)(15) for a child were made. The contrary to the welfare determination will be made in the first court ruling that sanctions (even temporarily) the removal of a child from home. If the determination regarding contrary to the welfare is not made in the first court ruling pertaining to removal from the home, the child will not be eligible for title IV-E foster care maintenance payments for the duration of that stay in foster care;	**Ohio Revised Code sections:** 5101.141, 5153.166 **Ohio Administrative Code rules:** 5101:2-42-06, 5101:2-42-07, 5101:2-42-08, 5101:2-47-01, 5101:2-47-13
472(a)(2)(B)&(C)	c. whose placement and care in a foster family home or child care institution (as defined in	**Ohio Administrative Code rule:**

472(a)(2)(B)(i) 472(a)(2)(B)(ii)	section 472(c) of the Act) is the responsibility of either: i. the State agency administering the approved title IV-E plan; ii. any other public agency with whom the State agency administering or supervising the administration of the approved title IV-E plan has made an agreement which is still in effect; or iii. a Tribe that has a plan approved under section 471 in accordance with 479B; and	5101:2-1-01, 5101:2-47-13
472(a)(3)(A)(i) 472(a)(3)(A)(ii)(I) 472(a)(3)(A)(ii)(II) 472(a)(3)(B)	d. who: i. Either: A. received AFDC, in the home referred to in section 472(a)(1), under the State plan approved under section 402 of the Act (as in effect 7/16/96) in or for the month in which either a voluntary placement agreement was entered into or court proceedings leading to the judicial determination, referred to in section	**Ohio Administrative Code rules:** 5101:2-47-14, 5101:2-47-14.1

	472(a)(2)(A) of the Act, were initiated; B. would have received AFDC, in the home, in or for such month referred to in the above clause if application for such aid had been made; or C. had been living with a relative specified in section 406(a) of the Act (as in effect 7/16/96) within six months prior to the month in which a voluntary placement agreement was entered into or court proceedings leading to the judicial determination, referred to in section 472(a)(2)(A) of the Act, were initiated, and would have received AFDC in or for such month if the child had been living in the home with such relative and an application had been made for AFDC under title IV-A of the Act; and ii. had resources (determined under section 402(a)(7)(B) of the Act as in effect 7/16/96) that had a combined value of not more than $10,000. (Tribes, see section 7 for related requirements in section 479B(c)(1)(C)(ii)(II).)	
1356.21(k)	2. Removal.	**Ohio Administrative Code rules:**

	a. For the purposes of meeting the requirements of section 472(a)(2)(A)(1) of the Act, a removal from the home must occur pursuant to: i. a voluntary placement agreement entered into by a parent or relative which leads to a physical or constructive removal (i.e., a non-physical or paper removal of custody) of the child from the home; or ii. a judicial order for a physical or constructive removal of the child from a parent or specified relative.	5101:2-47-13, 5101:2-47-14
1356.21(k)	b. A removal has not occurred in situations where legal custody is removed from the parent or relative and the child remains with the same relative in that home under supervision by the State/Tribal agency.	**Ohio Administrative Code rule:** 5101:2-47-14
1356.21(k)	c. A child is considered constructively removed on the date of the first judicial order removing custody, even temporarily, from the appropriate specified relative or the date that the voluntary placement agreement is signed by all relevant parties.	**Ohio Administrative Code rule:** 5101:2-47-14
1356.21(l)	3. Living with a specified relative. For purposes of meeting the requirements for	**Ohio Administrative Code rule:** 5101:2-47-14

	living with a specified relative prior to removal from the home under section 472(a)(2)(A) of the Act and all of the conditions under section 472(a)(3)(A), one of the two following situations will apply:	
1356.21(l)	a. the child was living with the parent or specified relative, and was AFDC eligible in that home in the month of the voluntary placement agreement or initiation of court proceedings; or	**Ohio Administrative Code rule:** 5101:2-47-14
1356.21(l)	b. the child had been living with the parent or specified relative within six months of the month of the voluntary placement agreement or the initiation of court proceedings, and the child would have been AFDC eligible in that month if s/he had still been living in that home.	**Ohio Administrative Code rule:** 5101:2-47-14
472(f)	B. VOLUNTARY PLACEMENTS (Option) 1. Foster care maintenance payments are made in the voluntary placement of a minor child out of the home by or with the participation of the State/Tribal agency only if:	**Ohio Administrative Code rules:** 5101:2-42-06, 5101:2-42-07, 5101:2-42-08
1356.22(a) 472(d)	a. the State/Tribe has fulfilled all of the requirements of section 472 of the Act; sections 422(b)(8) and 475(5) of the Act; and 45 CFR 1356.21(e),(f),(g),(h) and (i) of the	**Ohio Revised Code sections:** 2151.412, 2151.413, 2151.414, 2151.416, 2151.417, 2151.419, 5101.141, 5103.15, 5153.16

	Act; and	**Ohio Administrative Code rules:** 5101:2-42-06, 5101:2-42-07, 5101:2-42-08
472(f)(1)	b. the assistance of the State/Tribal agency has been requested by the child's parent(s) or legal guardian(s); and	**Ohio Administrative Code rule:** 5101:2-42-06
472(f)(2)	c. there is a written voluntary placement agreement, binding on all parties to the agreement, which specifies at a minimum the legal status of the child and the rights and obligations of the parents or guardians, the child and the State/Tribal agency while the child is in placement.	**Ohio Administrative Code rules:** 5101:2-42-06, 5101:2-47-13
1356.22(b) 472(e)	2. Federal financial participation is claimed only for voluntary foster care maintenance expenditures made within the first 180 days of the child's placement in foster care unless there has been a judicial determination by a court of competent jurisdiction, within the first 180 days of the date of such placement, to the effect that the continued voluntary placement is in the best interests of the child.	**Ohio Administrative Code rule:** 5101:2-47-13
1356.22(c) 472(g)(1)&(2)	3. The State/Tribal agency has established a uniform procedure or system, consistent with State/Tribal law, for revocation by the parent(s) of a voluntary placement agreement and return of the child.	**Ohio Administrative Code rule:** 5101:2-42-06

1355.20(a) 475(4)(A)	C. PAYMENTS 1. Foster care maintenance payments for a child in foster care may cover the cost of (and the cost of providing) food, clothing, shelter, daily supervision, school supplies, a child's personal incidentals, liability insurance with respect to the child, and reasonable travel to the child's home for visitation with family, or other caretakers and reasonable travel for the child to remain in the school in which the child is enrolled at the time of placement. Local travel associated with providing the items listed above is also an allowable expense. In the case of child care institutions, such term must include the reasonable costs of administration and operation of such institutions as are necessarily required to provide the items described in the preceding sentences.	**Ohio Revised Code section:** 5101.141 **Ohio Administrative Code rules:** 5101:2-1-01, 5101:2-47-01, 5101:2-47-11
472(b)(1)&(2)	2. Foster care maintenance payments are made only on behalf of an eligible child who is: a. in the foster family home of an individual, whether the payments are made to such individual or to a public or private child placement or child care agency; or b. in a child care institution, whether the payments are made to such institution or to a	**Ohio Revised Code section:** 5101.141 **Ohio Administrative Code rules:** 5101:2-47-01, 5101:2-47-16

	public or private child placement or child-care agency. Such payments are limited to include only those items that are included in the term "foster care maintenance payments" (defined in section 475(4) of the Act).	
472(i)(1)	3. Administrative costs associated with an otherwise eligible child who is in an unallowable facility or an unapproved or unlicensed relative home, and who is removed in accordance with section 472(a) from the home of a relative specified in section 406(a)(as in effect on July 16, 1996), shall be considered only for expenditures:	Not applicable. State does not claim administrative costs for such children.
472(i)(1)(A)	a. for a period of not more than the lesser of 12 months or the average length of time it takes to license or approve a home as a foster home, in which the child is in the home of a relative and an application is pending for licensing or approval of the home as a foster family home; or	Not applicable. State does not claim administrative costs for such children.
472(i)(1)(B)	b. for a period of not more than 1 calendar month when a child moves from a facility not eligible for payments under this part into a foster family home or child care institution licensed or approved by the State or Tribe.	Not applicable. State does not claim administrative costs for such children.
472(i)(2)	4. Administrative costs associated with a child who is potentially eligible for benefits under the approved title IV-E plan and at imminent	**Ohio Revised Code section:** 215.152

	risk of removal from the home, shall be considered for expenditures only if:	**Ohio Administrative Code rules:** 5101:2-38-10, 5101:9-7-08
472(i)(2)(A)	a. reasonable efforts are being made in accordance with section 471(a)(15) to prevent the need for, or if necessary to pursue, removal of the child from the home; and	**Ohio Administrative Code rules:** 5101:2-39-01, 5101:2-47-22
472(i)(2)(B)	b. the State/Tribal agency has made, not less often than every 6 months, a determination (or redetermination) as to whether the child remains at imminent risk of removal from the home.	**Ohio Revised Code section:** 215.152 **Ohio Administrative Code rules:** 5101:2-38-10, 5101:9-7-08
1356.21(j) 475(4)(B)	5. Child of a minor parent in foster care. Foster care maintenance payments made on behalf of a child placed in a foster family home or child care institution, who is the parent of a son or daughter in the same home or institution, must include amounts which are necessary to cover costs incurred on behalf of the child's son or daughter. Said costs must be limited to funds expended on those items described in the definition of foster care maintenance payments.	**Ohio Administrative Code rules:** 5101:2-47-01, 5101:2-47-20

1356.21(g)	D. CASE REVIEW SYSTEM 1. Case Plan To meet the case plan requirements of sections 471(a)(16), 475(1) and 475(5)(A) and (D) of the Act, the State/Tribal agency has promulgated policy materials and instructions for use by State/Tribe and local staff to determine the appropriateness of and necessity for the foster care placement of the child. The case plan for each child:	**Ohio Revised Code section:** 2151.412 **Ohio Administrative Code rules:** 5101:2-38-01, 5101:2-38-05
1356.21(g)(1)	a. is a written document which is a discrete part of the case record, in a format determined by the State/Tribe, which is developed jointly with the parent(s) or guardian(s) of the child in foster care;	**Ohio Revised Code section:** 2151.412 **Ohio Administrative Code rules:** 5101:2-38-01, 5101:2-38-05
1356.21(g)(2)	b. is developed within a reasonable period, to be established by the State/Tribe, but in no event later than 60 days from the child's removal from the home;	**Ohio Revised Code section:** 2151.412 **Ohio Administrative Code rules:** 5101:2-38-01, 5101:2-38-05
1356.21(g)(4)	c. includes a description of the services offered and provided to prevent removal of the child from the home and to reunify the family;	**Ohio Revised Code section:** 2151.412 **Ohio Administrative Code rules:** 5101:2-38-01, 5101:2-38-05,

		5101:2-39-11
475(1)(A)	d. includes a description of the type of home or institution in which the child is placed;	**Ohio Revised Code section:** 2151.412 **Ohio Administrative Code rules:** 5101:2-38-01, 5101:2-38-05, 5101:2-39-11
475(1)(A)	e. includes a discussion of the safety and appropriateness of the placement and how the responsible agency plans to carry out the judicial determination made with respect to the child in accordance with section 472(a)(2)(A) of the Act;	**Ohio Administrative Code rules:** 5101:2-38-01, 5101:2-38-05, 5101:2-39-11
475(1)(B)	f. includes a plan for assuring that the child receives safe and proper care, and services are provided to the parent(s), child and foster parents in order to improve the conditions in the parent's parents' home to facilitate the child's return to his/her own safe home or the permanent placement of the child;	**Ohio Administrative Code rules:** 5101:2-38-05, 5101:2-39-11, 5101:2-42-90
475(1)(B)	g. includes a plan for assuring that services are provided to the child and foster parents in order to address the needs of the child while in foster care;	**Ohio Administrative Code rules:** 5101:2-38-05, 5101:2-39-11, 5101:2-42-90
475(1)(B)	h. includes a discussion of the appropriateness of the services that have been provided to the	**Ohio Revised Code section:** 2151.412

	child under the plan;	**Ohio Administrative Code rules:** 5101:2-38-05, 5101:2-39-11
475(1)(D)	i. where appropriate for a child 16 or over, includes a written description of the programs and services which will help such child prepare for the transition from foster care to independent living;	**Ohio Administrative Code rules:** 5101:2-38-05, 5101:2-39-11, 5101:2-42-19
475(5)(H)	j. during the 90-day period immediately prior to the date on which the child will attain 18 years of age, whether during that period foster care maintenance payments are being made on the child's behalf or the child is receiving benefits or services under section 477, a caseworker on the staff of the State/Tribal agency, and, as appropriate, other representatives of the child provide the child with assistance and support in developing a transition plan that is personalized at the direction of the child, includes specific options on housing, health insurance, education, local opportunities for mentors and continuing support services, and work force supports and employment services, and is as detailed as the child may elect;	**Ohio Administrative Code rule:** 5101:2-42-19
1356.21(g)(5) 475(1)(E)	k. documents the steps to finalize a placement when the case plan goal is or becomes adoption or placement in another permanent	**Ohio Administrative Code rules:** 5101:2-38-05, 5101:2-39-11, 5101:2-48-11

	home in accordance with sections 475(1)(E) and (5)(E) of the Act. When the case plan goal is adoption, at a minimum such documentation shall include child-specific recruitment efforts such as the use of Tribal, State, regional, and national adoption exchanges including electronic exchange systems to facilitate orderly and timely in-State and interstate placements;	
475(1)(F)	L. For a child with respect to whom the permanency plan is placement with a relative and receipt of kinship guardian assistance payments, the State/Tribal agency shall include in the case plan a description of: i. the steps that the agency has taken to determine that it is not appropriate for the child to be returned home or adopted; ii. the reasons for any separation of siblings during placement; iii. the reasons why a permanent placement with a fit and willing relative through a kinship guardianship assistance arrangement is in the child's best interests; iv. the ways in which the child meets the eligibility requirements for a kinship guardianship assistance payment; v. the efforts the State/Tribal agency has	Not applicable.

	made to discuss adoption by the child's relative foster parent as a more permanent alternative to legal guardianship and, in the case of a relative foster parent who has chosen not to pursue adoption, documentation of the reasons; and vi. the efforts made by the State/Tribal agency to discuss with the child's parent or parents the kinship guardianship assistance arrangement, or the reasons why the efforts were not made. (See also Section 6 Guardianship Assistance Program Case Plan Requirements.)	
1356.21(g)(3) 475(5)(A)	l. includes a discussion of how the case plan is designed to achieve a safe placement for the child in the least restrictive (most family-like) setting available and in close proximity to the home of the parent(s) when the case plan goal is reunification and a discussion of how the placement is consistent with the best interests and special needs of the child;	**Ohio Revised Code section:** 2151.412 **Ohio Administrative Code rules:** 5101:2-38-05, 5101:2-39-11
475(5)(A)(i)	m. if the child has been placed in a foster family home or child-care institution a substantial distance from the home of the parent(s), or in a different State, sets forth the reasons why such a placement is in the best interests of the child;	**Ohio Revised Code section:** 2151.412 **Ohio Administrative Code rule:** 5101:2-42-05

475(5)(A)(ii)	n. if the child has been placed in foster care in a State or service area outside the State in which the child's parent(s) are located, assures that an agency caseworker on the staff of the State or Tribal agency of the State or service area in which the home of the parents of the child is located, of the State or service area in which the child has been placed, or of a private agency under contract with either such State or Tribe, visits the child in such foster home or institution no less frequently than every 6 months and submits a report on the visit to the State or Tribal agency of the State or service area where the home of the child's parent(s) is located;	**Ohio Administrative Code rules:** 5101:2-42-65, 5101:2-52-04, 5101:2-52-06
475(1)(G)	o. a plan for ensuring the educational stability of the child while in foster care, including-- i. assurances that the placement of the child in foster care takes into account the appropriateness of the current educational setting and the proximity to the school in which the child is enrolled at the time of placement; and ii. an assurance that the State/Tribal agency has coordinated with appropriate local educational agencies (as defined under section 9101 of the Elementary and Secondary	**Ohio Administrative Code rules:** 5101:2-38-05,5101:2-38-08, 5101:2-42-05, 5101:2-47-01

	Education Act of 1965) to ensure that the child remains in the school in which the child is enrolled at the time of placement; or iii. if remaining in such school is not in the best interests of the child, assurances by the State/Tribal agency and the local educational agencies to provide immediate and appropriate enrollment in a new school, with all of the educational records of the child provided to the school; and	
475(1)(C)	p. incorporates the health and education records of the child including the most recent information available regarding: i. the names and addresses of the child's health and educational providers; ii. the child's grade level performance; iii. the child's school record; iv. a record of the child's immunizations; v. the child's known medical problems; vi. the child's medications; and vii. any other relevant health and education information concerning the child determined to be appropriate by the State/Tribal agency.	**Ohio Administrative Code rules:** 5101:2-38-05, 5101:2-38-08, 5101:2-42-66, 5101:2-42-66.1
1356.21(f)	2. Case Review The State/Tribal agency has a case review	**Ohio Revised Code section:** 2151.416

	system which meets the requirements of sections 475(5) and 475(6) of the Act and assures that:	**Ohio Administrative Code rules:** 5101:2-38-10
475(5)(B)	a. a review of each child's status is made no less frequently than once every six months either by a court or by an administrative review to: i. determine the safety of the child, the continuing need for and appropriateness of the placement; ii. determine the extent of compliance with the case plan; iii. determine the extent of progress made toward alleviating or mitigating the causes necessitating the placement; and iv. project a likely date by which the child may be returned and safely maintained at home or placed for adoption or legal guardianship; and	**Ohio Revised Code section:** 2151.416 **Ohio Administrative Code rule:** 5101:2-38-10
475(6)	b. if an administrative review is conducted, the following requirements will be met: i. the review will be open to the participation of the parents of the child; and ii. the review will be conducted by a panel of appropriate persons, at least one of	**Ohio Revised Code section:** 2151.416 **Ohio Administrative Code rule:** 5101:2-38-10

	whom is not responsible for the case management of, or delivery of services to either the child or the parents who are the subject of the review.	
1356.21(h) 475(5)(C)	3. Permanency Hearing a. To meet the requirements of the permanency hearing, the State/Tribe holds permanency hearings for all children under the responsibility for placement and care of the title IV-E/IV-B agency, including children for whom the State/Tribe claims Federal reimbursement for the costs of voluntary foster care maintenance payments.	**Ohio Revised Code section:** 2151.417 **Ohio Administrative Code rules:** 5101:2-42-68, 5101:2-47-13
1356.21(h) 475(5)(C)	b. The permanency hearing takes place within 12 months of the date the child is considered to have entered foster care (as defined within the meaning of 475(5)(F)) and not less frequently than every 12 months thereafter during the continuation of foster care.	**Ohio Revised Code section:** 2151.417 **Ohio Administrative Code rules:** 5101:2-42-68, 5101:2-47-22
1356.21(h)(2) 471(a)(15)(E)(i)	c. When a court determines that reasonable efforts to return the child home are not required, a permanency hearing is held within 30 days of that determination, unless the requirements of the permanency hearing are fulfilled at the hearing in which the court determines that reasonable efforts to reunify	**Ohio Revised Code section:** 2151.417 **Ohio Administrative Code rule:** 5101:2-42-68

	the child and family are not required.	
1356.21(b)(3) 475(5)(C) 471(a)(15)(E)(i)	d. For the purposes of this requirement, a permanency hearing shall determine: i. the permanency plan for the child that includes whether, and if applicable when, the child will be returned to the parent, or placed for adoption and the State/Tribe will file a petition for termination of parental rights, or referred to legal guardianship, or (in cases where the State/Tribal agency has documented to the court a compelling reason for determining that it would not be in the best interest of the child to return home, be referred for termination of parental rights, or be placed for adoption, with a fit and willing relative, or with a legal guardian) placed in another planned permanent living arrangement; ii. in the case of a child who will not be returned to the parent, the hearing shall consider in-State and out-of-State placement options; iii. in the case of a child placed out of the State in which the home of the parent(s) of the child is located, the hearing shall determine whether the out-of-State placement continues to be appropriate	**Ohio Revised Code sections:** 2151.353, 2151.417 **Ohio Administrative Code rule:** 5101:2-38-10, 5101:2-42-68

	and in the best interests of the child; iv. in the case of a child who has attained age 16, the services needed to assist the child to make the transition from foster care to independent living; and v. in any permanency hearing held with respect to the child, including any hearing regarding the transition of the child from foster care to independent living, procedural safeguards shall be applied to assure the court or administrative body conducting the hearing consults, in an age-appropriate manner, with the child regarding the proposed permanency or transition plan for the child.	
475(5)(C)	e. Procedural safeguards are also to be applied with respect to parental rights pertaining to the removal of the child from the home of his/her parents, to a change in the child's placement, and to any determination affecting visitation privileges of parents.	**Ohio Revised Code section:** 2151.353 **Ohio Administrative Code rule:** 5101:2-38-05, 5101:2-38-10
1356.21(h)(3)	f. If the State/Tribe concludes, after considering reunification, adoption, legal guardianship, or permanent placement with a fit and willing relative, that the most	**Ohio Revised Code sections:** 2151.415, 2151.417 **Ohio Administrative Code rule:**

	appropriate permanency plan for a child is placement in another planned permanent living arrangement, the State/Tribe will document to the court the compelling reason for the alternate plan.	5101:2-38-09, 5101:2-38-10, 5101:2-42-68
1356.21(h)(4)	g. When an administrative body, appointed or approved by the court, conducts the permanency hearing, the procedural safeguards set forth in the definition of permanency hearing will be extended by the administrative body.	**Ohio Revised Code section:** 2151.417 **Ohio Administrative Code rule:** 5101:2-38-09, 5101:2-38-10, 5101:2-42-68
475(5)(D)	4. Health and Education Records a. A child's health and education records are reviewed and updated, and a copy of the record is supplied to the foster parent or foster care provider with whom the child is placed, at the time of each placement of the child in foster care. b. The child's health and education records are supplied to the child at no cost at the time the child leaves foster care if the child is leaving foster care by reason of having attained the age of majority under State/Tribe law.	**Ohio Revised Code section:** 2151.424 **Ohio Administrative Code rule:** 5101:2-38-08

1356.21(o) 475(5)(G)	5. Notice The State/Tribe provides the foster parent(s) of a child and any pre-adoptive parent or relative providing care for the child with timely notice of and a right to be heard in any proceeding to be held with respect to the child during the time the child is in the care of such foster parent, pre-adoptive parent, or relative caregiver. Notice of and a right to be heard does not require the State/Tribe to make the caregiver a party to the proceeding.	**Ohio Revised Code section:** 2151.424 **Ohio Administrative Code rule:** 5101:2-38-05
472(h)(1) 473(b)(1) & (b)(2)	E. MEDICAL AND SOCIAL SERVICES 1. For purposes of titles XIX and XX, any child with respect to whom foster care maintenance payments are made under this section will be deemed a dependent child as defined in section 406 of the Act (as so in effect 7/16/1996) and shall be deemed to be a recipient of aid to families with dependent children under Part A of this title (as so in effect 7/16/1996). Title XIX and XX services will be available to such child in the State in which the child resides. 2. For the purposes of titles XIX and XX, any eligible child for whom there is a kinship guardianship assistance payment being made under section 473(d) is deemed to be a dependent child as defined in 406 of the Act	**Ohio Administrative Code rules:** 5101:2-47-01, 5101:2-47-05

	and is deemed to be a recipient of AFDC under part A of title IV of the Act (as in effect 7/16/96) in the State in which such child resides.	
471(a)(14)	F. SPECIFIC GOALS IN STATE/TRIBAL LAW 1. The State/Tribal agency formulates for each fiscal year, a specific goal as to the maximum number of children (in absolute numbers or as a percentage of all children in foster care receiving assistance under a State title IV-E program) who at any given time during the fiscal year will have been in foster care for over 24 months. The specific foster care goals required under section 471(a)(14) of the Act are incorporated into State or Tribal law by statute or administrative regulation with the force of law. 2. The State/Tribal agency will describe the steps that will be taken to achieve the specific goal established.	**Ohio Administrative Code rule:** 5101:2-47-01
1356.21(b) 471(a)(15)(A)&(B)	G. PREVENTIVE AND REUNIFICATION SERVICES 1. Reasonable efforts. The State/Tribe makes reasonable efforts to maintain the family unit and prevent the unnecessary removal of a child from his/her home, as long as the child's	**Ohio Administrative Code rule:** 5101:2-39-01, 5101:2-47-22

	safety is assured; to effect the safe reunification of the child and family (if temporary out-of-home placement is necessary to ensure the immediate safety of the child); and to make and finalize alternate permanency plans in a timely manner when reunification is not appropriate or possible. In determining reasonable efforts to be made with respect to a child and in making such reasonable efforts, the child's health and safety is the State's and Tribe's paramount concern.	
471(a)(15)(C)	2. If continuation of reasonable efforts as described in section 471(a)(15)(B) of the Act is determined to be inconsistent with the permanency plan for the child, reasonable efforts are made to place the child in a timely manner in accordance with the permanency plan including, if appropriate, through an interstate placement, and to complete whatever steps are necessary to finalize the permanent placement of the child.	**Ohio Administrative Code rule:** 5101:2-39-01, 5101:2-47-22
1356.21(b)(1)(i)&(ii)	3. Judicial determination of reasonable efforts to prevent a child's removal from the home. a. When a child is removed from his/her home, the judicial determination, as to whether reasonable efforts were made or were not required to prevent the removal, is made no later than 60 days from the date the child	**Ohio Administrative Code rules:** 5101:2-39-01, 5101:2-47-22

	is removed from the home. b. If the determination concerning reasonable efforts to prevent the removal is not made as specified above, the child is not eligible under the title IV-E foster care maintenance payments program for the duration of that stay in foster care. (Tribes, see also section 7 for use of nunc pro tunc orders.)	
1356.21(b)(2)(i)	4. Judicial determination of reasonable efforts to finalize a permanency plan. a. The State/Tribal agency obtains a judicial determination that it has made reasonable efforts to finalize the permanency plan that is in effect (whether the plan is reunification, adoption, legal guardianship, placement with a fit and willing relative, or placement in another planned permanent living arrangement) within 12 months of the date the child is considered to have entered foster care in accordance with the definition at section 1355.20 of the regulations, and at least once every 12 months thereafter while the child is in foster care. (Tribes, see also section 7 for use of nunc pro tunc orders.)	**Ohio Administrative Code rules:** 5101:2-39-01, 5101:2-47-22

1356.21(b)(2)(ii)	b. If such a judicial determination regarding reasonable efforts to finalize a permanency plan is not made, the child becomes ineligible under title IV-E from the end of the 12th month following the date the child is considered to have entered foster care or the end of the 12th month following the month in which the most recent judicial determination of reasonable efforts to finalize a permanency plan was made, and remains ineligible until such a judicial determination is made. (Tribes, see also section 7 for use of nunc pro tunc orders.)	**Ohio Administrative Code rules:** 5101:2-39-01, 5101:2-47-22
1356.21(b)(3) 471(a)(15)(D)	5. Reasonable efforts are not required to prevent a child's removal from home or to reunify the child and family if the State/Tribal agency obtains a judicial determination that such efforts are not required because:	**Ohio Administrative Code rule:** 5101:2-39-01
1356.21(b)(3)(i) 471(a)(15)(D)	a. a court of competent jurisdiction has determined that the parent has subjected the child to aggravated circumstances (as defined in State/Tribal law, which definition may include but need not be limited to abandonment, torture, chronic abuse, and sexual abuse);	**Ohio Administrative Code rule:** 5101:2-39-01
1356.21(b)(3)(ii) 471(a)(15)(D)	b. a court of competent jurisdiction has determined that the parent has been	**Ohio Administrative Code rules:** 5101:2-39-01

	convicted of: i. murder (which would have been an offense under section 1111(a) of title 18, United States Code, if the offense had occurred in the special maritime or territorial jurisdiction of the United States) of another child of the parent; ii. voluntary manslaughter (which would have been an offense under section 1112(a) of title 18, United States Code, if the offense had occurred in the special maritime or territorial jurisdiction of the United States) of another child of the parent; iii. aiding or abetting, attempting, conspiring, or soliciting to commit such a murder or such a voluntary manslaughter; or iv. a felony assault that results in serious bodily injury to the child or another child of the parent; or	
1356.21(b)(3)(iii) 471(a)(15)(D)	c. the parental rights of the parent with respect to a sibling have been terminated involuntarily.	**Ohio Administrative Code rule:** 5101:2-39-01
1356.21(b)(4) 471(a)(15)(F)	6. Concurrent planning. a. Reasonable efforts to finalize an alternate	**Ohio Administrative Code rule:** 5101:2-38-05, 5101:2-39-01

	permanency plan may be made concurrently with reasonable efforts to reunify the child and family. b. Reasonable efforts to place a child for adoption or with a legal guardian, including identifying appropriate in-State and out-of-State placements, may be made concurrently with reasonable efforts to reunify the child and family.	
1356.21(b)(5)	7. Use of the Federal Parent Locator Service. The State/Tribal agency may seek the services of the Federal Parent Locator Service to search for absent parents at any point in order to facilitate a permanency plan.	**Ohio Revised Code section:** 3125.06
1356.21(i)(1) 475(5)(E)	H. TERMINATION OF PARENTAL RIGHTS 1. The State/Tribe will file a petition (or, if such a petition has been filed by another party, seek to be joined as a party to the petition) to terminate the parental rights of a parent(s):	**Ohio Revised Code section:** 2151.414 **Ohio Administrative Code rule:** 5101:2-42-95
1356.21(i)(1)(i)	a. whose child has been in foster care under the responsibility of the State or Tribe for 15 of the most recent 22 months. The petition must be filed by the end of the child's 15th month in foster care. In calculating when to file a petition for termination of parental	**Ohio Revised Code section:** 2151.414 **Ohio Administrative Code rule:** 5101:2-42-95

	rights, the State/Tribe: i. will calculate the 15 out of the most recent 22 month period from the date the child entered foster care as defined at section 475(5)(F) of the Act; ii. will use a cumulative method of calculation when a child experiences multiple exits from and entries into foster care during the 22 month period; iii. will not include trial home visits or runaway episodes in calculating 15 months in foster care; and iv. only applies section 475(5)(E) of the Act to a child once if the State/Tribe does not file a petition because one of the exceptions applies;	
1356.21(i)(1)(ii)	b. whose child has been determined by a court of competent jurisdiction to be an abandoned infant (as defined under State/Tribal law). The petition to terminate parental rights is made within 60 days of the judicial determination that the child is an abandoned infant; or	**Ohio Revised Code sections:** 2151.414, 2151.011, 2151.3515 **Ohio Administrative Code rules:** 5101:2-42-05, 5101:2-42-95
1356.21(i)(1)(iii)	c. who has been convicted of one of the felonies listed above. Under such circumstances, the petition to terminate parental rights is to be made within 60 days of a judicial determination that reasonable efforts	**Ohio Administrative Code rule:** 5101:2-42-95

	to reunify the child and parent are not required.	
1356.21(i)(2)	2. The State/Tribe may elect not to file or join a petition to terminate the parental rights of a parent of this section if: a. at the option of the State/Tribe, the child is being cared for by a relative; b. the State/Tribal agency has documented in the case plan (which must be available for court review) a compelling reason for determining that filing such a petition would not be in the best interests of the individual child; or c. the State/Tribal agency has not provided to the family, consistent with the time period in the case plan, services that the State/Tribe deems necessary for the safe return of the child to the home, when reasonable efforts to reunify the family are required.	**Ohio Revised Code section:** 2151.413 **Ohio Administrative Code rule:** 5101:2-42-95
1356.21(i)(3)	3. When the State/Tribe files or joins a petition to terminate parental rights, it concurrently begins to identify, recruit, process, and approve a qualified adoptive family for the child.	**Ohio Administrative Code rule:** 5101:2-42-95
1355.20(a)	I. DATE CHILD CONSIDERED TO HAVE	**Ohio Revised Code sections:**

475(5)(F)	ENTERED FOSTER CARE A child will be considered to have entered foster care on the earlier of: 1. the date of the first judicial finding that the child has been subjected to child abuse or neglect; or 2. the date that is 60 days after the date on which the child is removed from the home.	2151.412, 2151.413, 2151.414 **Ohio Administrative Code rules:** 5101:2-42-95, 5101:2-47-22
1356.21(d) 472(a)(1)	J. DOCUMENTATION OF JUDICIAL DETERMINATION The judicial determinations regarding contrary to the welfare, reasonable efforts to prevent removal, and reasonable efforts to finalize the permanency plan in effect, including judicial determinations that reasonable efforts are not required, are explicitly documented and made on a case-by-case basis and so stated in the court order. 1. If the reasonable efforts and contrary to the welfare judicial determinations are not included as required in the court orders, a transcript of the court proceedings is the only other documentation accepted to verify that these required determinations have been made.	**Ohio Revised Code section:** 2151.419 **Ohio Administrative Code rules:** 5101:2-39-01, 5101:2-47-13, 5101:2-47-22

	2. Neither affidavits nor nunc pro tunc orders will be accepted as verification documentation in support of reasonable efforts and contrary to the welfare judicial determinations, except as provided in 479B(c)(ii) of the Act and for Tribes. (See section 7.C. of this plan.) 3. Court orders that reference State or Tribal law to substantiate judicial determinations are not acceptable, even if the law provides that a removal must be based on a judicial determination that remaining in the home would be contrary to the child's welfare or that removal can only be ordered after reasonable efforts have been made, except as applied to Tribes in section 7 of this plan regarding use of nunc pro tunc orders. (Tribes see section 7 for nunc pro tunc orders.)	
1356.21(e)	K. TRIAL HOME VISITS A trial home visit may not exceed six months in duration, unless the court orders a longer trial home visit. If a trial home visit extends beyond six months and has not been authorized by the court, or exceeds the time period the court has deemed appropriate, and the child is subsequently returned to foster care, that placement must then be considered a new placement and title IV-E eligibility must	**Ohio Administrative Code rule:** 5101:2-47-21

	be newly established. Under these circumstances, the judicial determinations regarding contrary to the welfare and reasonable efforts to prevent removal are required.	
471(a)(24)	L. TRAINING Before a child in foster care is placed with prospective foster parents, the prospective foster parents are adequately prepared with the appropriate knowledge and skills to provide for the needs of the child. As necessary, such preparation is continued after placement of the child.	**Ohio Revised Code sections:** 5103.031 thru 5103.0311 **Ohio Administrative Code rules:** 5101:2-5-33, 5101:2-42-90
Federal Regulatory/ Statutory References	**Requirement**	**State Regulatory, Statutory, and Policy References and Citations for Each**
	SECTION 3. ADOPTION ASSISTANCE PAYMENTS	
	A. I. ELIGIBILITY – Applicable Child (Effective October 1, 2009)	**Ohio Revised Code section:** 5101.141 **Ohio Administrative Code rules:** 5101:2-49-02(Proposed), 5101:2-49-06

473(e)	1. Beginning in fiscal year 2010, an applicable child is: a. a child for whom an adoption assistance agreement is entered into under section 473 during any fiscal year described in 473(e)(1)(B) if the child attained the applicable age pursuant to that paragraph for that fiscal year before the end of that fiscal year; or b. a child of any age on the date on which an adoption assistance agreement is entered into on behalf of the child under section 473 if the child has been in foster care under the responsibility of the State/Tribal agency for at least 60 consecutive months and meets the requirements of paragraph 473(a)(2)(A)(ii); or c. a child of any age on the date on which an adoption assistance agreement is entered into on behalf of the child under this section without regard to whether the child is described in 473(e)(2)(A) if the child: i. is a sibling of a child who is an applicable child for the fiscal year under paragraphs 473(e)(1) or (2); and ii. is to be placed in the same adoption placement as their sibling who is an	**Ohio Administrative Code rule:** 5101:2-49-02(Proposed)

	applicable child for the fiscal year; and iii. meets the requirements of 473 (a)(2)(A)(ii).	
473(c)(2)	2. Adoption assistance payments may be made to parents to adopt a child with special needs. In the case of a child who is an applicable child for a fiscal year as defined in 473(e), the child shall not be considered a child with special needs unless:	**Ohio Administrative Code rules:** 5101:2-49-01,5101:2-49-02 (Proposed), 5101:2-49-06
473(c)(2)(A)	a. the State/Tribe has determined, pursuant to established criteria, that the child cannot or should not be returned to the home of his parents; and	**Ohio Administrative Code rules:** 5101:2-49-02 (Proposed), 5101:2-49-03
473(c)(2)(B)	b. either: i. the State/Tribe has determined that there exists with respect to the child a specific factor or condition (such as ethnic background, age, or membership in a minority or sibling group, or the presence of factors such as medical conditions or physical, mental, or emotional handicaps) because of which it is reasonable to conclude that the child cannot be placed with adoptive parents without providing adoption assistance under this section and	**Ohio Administrative Code rules:** 5101:2-49-02 (Proposed), 5101:2-49-03

	medical assistance under title XIX; or ii. the child meets all medical or disability requirements of title XVI with respect to eligibility for supplemental security income benefits; and	
473(c)(2)(C)	c. the State/Tribe has determined that, except where it would be against the best interests of the child because of such factors as the existence of significant emotional ties with prospective adoptive parents while in the care of the parents as a foster child, a reasonable, but unsuccessful, effort has been made to place the child with appropriate adoptive parents without providing adoption assistance under this section or medical assistance under title XIX.	**Ohio Administrative Code rule:** 5101:2-49-03
473(a)(1)(A) 473(a)(2)(A)(ii)	3. In the case of a child who is an applicable child for the fiscal year as defined in 473(e), adoption assistance payments may be made if the child has been determined by the State/Tribe pursuant to section 473(c) to be a child with special needs and: a. the time of initiation of adoption proceedings the child was in the care of a public or licensed private child placement agency or Tribal agency	**Ohio Administrative Code rules:** 5101:2-49-02 (Proposed), 5101:2-49-03

	pursuant to— i. an involuntary removal of the child from the home in accordance with a judicial determination to the effect that continuation in the home would be contrary to the welfare of the child; or ii. a voluntary placement agreement or voluntary relinquishment; or b. meets all medical or disability requirements of title XVI with respect to eligibility for supplemental security income benefits; or c. was residing in a foster family home or child care institution with the child's minor parent, and the child's minor parent was in such foster family home or child care institution pursuant to— i. an involuntary removal of the child from the home in accordance with a judicial determination to the effect that continuation in the home would be contrary to the welfare	

	of the child; or ii. a voluntary placement agreement or voluntary relinquishment; and d. has been determined by the State or Tribe, pursuant to subsection 473(c)(2), to be a child with special needs.	
473(a)(2)(C)(ii)	4. In the case of a child who is an applicable child for the fiscal year as so defined in 473(e), the child will be treated as meeting the requirements to receive adoption assistance payments if the child: a. meets the requirements of 473(a)(2)(A)(ii)(II); and b. is determined eligible for adoption assistance payments under this part with respect to a prior adoption (or who would have been determined eligible for such payments had the Adoption and Safe Families Act of 1997 been in effect at the time that such determination would have been made; and c. is available for adoption because the prior adoption has been dissolved and the parental rights of the adoptive parents have been terminated or because the child's adoptive	**Ohio Administrative Code rule:** 5101:2-49-02 (Proposed)

	parents have died.	
	A. II. ELIGIBILITY – Non-applicable Child (Currently effective, but beginning October 1, 2009, decreases based on the criteria in 473(e) until October 1, 2017, at which time this authority ends)	**Ohio Administrative Code rule:** 5101:2-49-02 (Proposed)
473(a)(1)(A) 473(c)(1)	1. Adoption assistance payments may be made to parents who adopt a child with special needs. In the case of a child who is not an applicable child, as defined in 473(e), for a fiscal year, the child shall not be considered a child with special needs unless:	**Ohio Administrative Code rules:** 5101:2-49-01, 5101:2-49-02 (Proposed)
473(c)(1)(A)	a. the State/Tribe has determined the child cannot or should not be returned to the home of his or her parents; and	**Ohio Administrative Code rules:** 5101:2-49-02, 5101:2-49-03
473(c)(1)(B)	b. the State/Tribe has first determined that a specific factor or condition exists with respect to the child (such as ethnic background, age, or membership in a minority or sibling group, or the presence of factors such as medical conditions or physical, mental or emotional disabilities) because of which it is reasonable to conclude that such child cannot be placed for adoption without providing adoption assistance or medical assistance under title XIX; and	**Ohio Administrative Code rule:** 5101:2-49-03

473(c)(1)(B)	c. a reasonable, but unsuccessful, effort has been made to place the child without providing assistance except where it would be against the best interests of the child due to such factors as the existence of significant emotional ties with prospective adoptive parents while in the care of such parents as a foster child.	**Ohio Administrative Code rules:** 5101:2-49-02, 5101:2-49-03
473(a)(2)(A) 473(a)(2)(A)(i) 473(a)(2)(A)(i)(II)	2. In the case of a child who is not an applicable child for the fiscal year as defined in 473(e), adoption assistance payments may be made if the child has been determined by the State/Tribe pursuant to section 473(c) to be a child with special needs and:	**Ohio Administrative Code rules:** 5101:2-49-01, 5101:2-49-02, 5101:2-49-03, 5101:2-49-06
473(a)(2)(A)(i)(I)(aa)	a. was removed from the home of a relative specified in section 406(a) of the Act (as in effect on July 16, 1996) and placed in foster care in accordance with a voluntary placement agreement with respect to which Federal payments are provided under section 474 (or section 403, as in effect on July 16, 1996), or in accordance with a judicial determination to the effect that continuation in the home would be contrary to the welfare of the child; and i. received AFDC, in that relative's home, under the State plan approved under section 402 of the Act (as in effect 7/16/96), or would have received AFDC	**Ohio Administrative Code rules:** 5101:2-49-02, 5101:2-49-02.1 (Proposed)

	ii. under such plan had application been made, in or for the month the voluntary placement agreement was entered into or court proceedings leading to the judicial determination referred to in section 473(a)(2)(A)(i) were initiated; or had been living with a relative specified in section 406(a) of the Act within six months before the month in which a voluntary placement agreement was entered into or court proceedings leading to the judicial determination referred to in section 473(a)(2)(A)(i), were initiated and would have received AFDC in that relative's home under the State plan approved under section 402 of the Act for that month, if in that month the child had been living with such relative and application had been made; (Tribes, see also section 7 (AFDC))	
473(a)(2)(A)(i)(I)(bb)	b. meets all the requirements of title XVI of the Act with respect to eligibility for supplemental security income benefits; or	**Ohio Administrative Code rule:** 5101:2-49-02
473(a)(2)(A)(i)(I)(cc)	c. is a child whose costs in a foster family home or child-care institution are covered by the foster care maintenance payments being made with respect to the minor parent of the	**Ohio Administrative Code rule:** 5101:2-49-02

	child as provided in section 475(4)(B).	
473(a)(2)(C)(i)	3. In the case of a child who is not an applicable child for the fiscal year as defined in 473(e), the child will be treated as meeting the requirements to receive adoption assistance payments if the child: a. meets the requirements of section 473(a)(2)(A)(i)(II); and b. is determined eligible for adoption assistance payments under 473 of the Act with respect to a prior adoption; and c. is available for adoption because the prior adoption has been dissolved and the parental rights of the adoptive parents have been terminated or because the child's adoptive parents have died; and d. fails to meet the requirements of section 473(a)(2)(A)(i) but will meet such requirements if the child is treated as if the child is in the same financial and other circumstances the child was in the last time the child was determined eligible for adoption assistance payments under section 473 of the Act and the prior adoption is treated as never having occurred.	**Ohio Administrative Code rule:** 5101:2-49-02 (Proposed)

	A. III. ELIGIBILITY – General	**Ohio Administrative Code rule:** 5101:2-49-02
473(a)(1)(B)	1. Adoption assistance payments are made to adoptive parents who have entered into an adoption assistance agreement (see subsection C of this plan) with the title IV-E agency.	**Ohio Administrative Code rule:** 5101:2-49-02
473(a)(2)(D)	2. In determining the eligibility for adoption assistance payments of a child in a legal guardianship arrangement described in section 471(a)(28), the placement of the child with the relative guardian involved and any kinship guardianship assistance payments made on behalf of the child shall be considered never to have been made.	Not applicable.
473(a)(1)(B)(i)	B. PAYMENTS – AMOUNTS AND CONDITIONS 1. Payments will be made for non-recurring adoption expenses incurred by or on behalf of the adoptive parents in connection with the adoption of a child with special needs, directly through the State/Tribal agency or through another public or nonprofit private agency, in amounts determined through an agreement with the adoptive parents; and	**Ohio Administrative Code rule:** 5101:2-49-21
473(a)(1)(B)(ii)	2. In any case where the child meets the requirements of section 473(a)(2) of the Act, the State/Tribe may make adoption assistance	**Ohio Administrative Code rule:** 5101:2-49-08

	payments to adoptive parents, directly through the State/Tribal agency or through another public or nonprofit private agency, in amounts so determined through an adoption assistance agreement (see Section 3, item C of this plan).	
473(a)(3)	3. The amount of such payment: a. will take into consideration the circumstances of the adopting parents and the needs of the child being adopted; b. may be adjusted periodically with the concurrence of the adoptive parents to reflect changing circumstances; and c. may not exceed the foster care maintenance payment which would have been paid during the period if the child with respect to whom the adoption assistance payment is made had been in a foster family home.	**Ohio Administrative Code rule:** 5101:2-49-05
1356.40(c)	4. In determining eligibility for adoption assistance payments, there is no income eligibility requirement (means test) for the adoptive parents.	**Ohio Administrative Code rule:** 5101:2-49-05
473(a)(4)	5. Payments are terminated when the State determines that: a. the child has attained the age of 18 (or, where the State determines that the child has	**Ohio Administrative Code rule:** 5101:2-49-13

	a mental or physical disability which warrants the continuation of assistance, the age of 21); or b. the parents are no longer legally responsible for the support of the child; or c. the child is no longer receiving support from the adoptive parents.	
473(a)(4)	6. The adoptive parents are required to inform the State/Tribal agency of circumstances that would make them ineligible for adoption assistance payments or eligible for adoption assistance payments in a different amount.	**Ohio Administrative Code rules:** 5101:2-49-10, 5101:2-49-12
473(a)(7)	7. No payment may be made to parents with respect to any applicable child for a fiscal year that: a. would be considered a child with special needs under 473(c)(2); b. is not a citizen or resident of the United States; and c. was adopted outside of the United States or was brought into the United States for the purpose of being adopted. 8. A child that is not a citizen or resident of the US and was adopted outside of the US or	**Ohio Administrative Code rule:** 5101:2-49-02 (Proposed)

	brought into the US for the purpose of being adopted may be eligible for adoption assistance payments if the initial adoption of the child by parents is a failure and the child is subsequently placed into foster care.	
475(3)	C. ADOPTION ASSISTANCE AGREEMENT 1. An adoption assistance agreement is a written agreement, binding on all parties, between the State/Tribal agency, other relevant agencies, and the prospective adoptive parents.	**Ohio Administrative Code rule:** 5101:2-49-06
1356.40(b)	2. The adoption assistance agreement meets the requirements of section 475(3) of the Act as stated below:	**Ohio Administrative Code rule:** 5101:2-49-06
1356.40(b)(1)	a. is signed by the adoptive parents and a representative of the State/Tribal agency and is in effect before adoption assistance payments are made under title IV-E, but no later than the finalization of the adoption;	**Ohio Administrative Code rule:** 5101:2-49-06
1356.40(b)(2) 475(3)	b. specifies the duration of the agreement;	**Ohio Administrative Code rule:** 5101:2-49-06
1356.40(b)(3)	c. specifies the amount of the adoption assistance payments (if any) and the nature and amount of any other payments, services and assistance to be provided (including non-recurring adoption expenses in agreements for	**Ohio Administrative Code rule:** 5101:2-49-06

	expenditures incurred by the parents);	
473(b)	d. specifies the child's eligibility for title XIX and title XX;	**Ohio Administrative Code rule:** 5101:2-49-06
475(3)(B)	e. specifies that the agreement remains in effect regardless of the State of residence of the adoptive parents;	**Ohio Administrative Code rule:** 5101:2-49-06
475(3)	f. contains provisions for the protection of the interests of the child in case the adoptive parents and child should move to another State while the agreement is in effect; and	**Ohio Administrative Code rules:** 5101:2-49-06, 5101:2-49-23
1356.40(d)	g. if a needed service specified in the agreement is not available in the new State or service area of residence, the State/Tribe making the original adoption assistance payment remains financially responsible for providing the specified service(s).	**Ohio Administrative Code rule:** 5101:2-49-23
473(b)(1-4)	D. MEDICAID AND SOCIAL SERVICES 1. For the purposes of titles XIX and XX, any eligible child for whom there is an adoption assistance agreement in effect under section 473(a)(2) (whether or not adoption assistance payments are being made) is deemed to be a dependent child as defined in 406 of the Act and is deemed to be a recipient of AFDC under	**Ohio Administrative Code rules:** 5101:2-49-06, 5101:2-49-19

	part A of title IV of the Act (as in effect 7/16/96) in the State in which such child resides. Any child of such eligible child will be eligible for such services.	
471(a)(21)(A)&(B)	2. The State/Tribe will provide health insurance coverage (through one or more State/Tribal medical assistance programs), with the same type and kind of benefits as those which would be provided for children by the State/Tribe under title XIX, or a comparable medical plan, for any child who has been determined to be a child with special needs, for whom there is in effect an adoption assistance agreement between the State/Tribe and an adoptive parent or parents, and who the State/Tribe has determined cannot be placed with an adoptive parent or parents without medical assistance due to special needs for medical, mental health or rehabilitative care.	**Ohio Administrative Code rules:** 5101:2-49-06, 5101:2-49-19
471(a)(21)(C)&(D)	3. In the event that the State/Tribe provides such coverage through a State/Tribe medical assistance program other than the program under title XIX, and the State/Tribe exceeds its funding for services under such other program, any such child is deemed to be receiving aid or assistance under the State/Tribe plan under this part for purposes of section 1902(a)(10)(a)(i)(1); and in determining cost-sharing requirements, the	The state of Ohio does not provide such coverage through a state medical assistance program other than the program under Title XIX.

	State/Tribe will take into consideration the circumstances of the adopting parent or parents and the needs of the child being adopted to the extent coverage is provided through a State/Tribal medical assistance program, consistent with the rules under such program.	
473A(b)	E. ELIGIBILITY FOR ADOPTION INCENTIVE FUNDING States are eligible for adoption incentive funds in FY's 2008 through 2012, if: 1.a. the number of foster child adoptions in the State during the fiscal year exceeds the number of foster child adoptions for the State in fiscal year 2007; or b. the number of older child adoptions in the State during the fiscal year exceeds the base number of older child adoptions for the State for the fiscal year; or c. the State's foster child adoption rate for the fiscal year exceeds the highest ever foster child adoption rate determined for the State; and 2. the State is in compliance with the data requirements in section 473A(c) of the Act; and 3. the State provides health insurance	Not applicable.

	coverage to any child with special needs (as determined under section 473(c)) for whom there is in effect an adoption assistance agreement.	
471(a)(33)	F. ADOPTION TAX CREDIT The State/Tribe informs every individual who is adopting or whom the State or Tribe is made aware is considering adopting, a child who is in foster care under the responsibility of the State or Tribe of the potential eligibility for a Federal tax credit under section 23 of the Internal Revenue Code of 1986.	**Ohio Administrative Code rule:** 5101:2-48-08

Federal Regulatory/ Statutory References	Requirement	State Regulatory, Statutory, and Policy References and Citations for Each
	SECTION 4. GENERAL PROGRAM REQUIREMENTS	
471(a)(10)	A. STANDARDS FOR FOSTER FAMILY HOMES AND CHILD CARE INSTITUTIONS The agency has established or designated a State/Tribal authority(ies) which is responsible for establishing and maintaining standards for foster family homes and child care institutions which are	**Ohio Revised Code section:** 5103.03

	reasonably in accord with recommended standards of national organizations concerned with standards for such institutions or homes, including standards related to admission policies, safety, sanitation, and protection of civil rights. The standards so established are applied by the State to any foster family home or child-care institution receiving funds under titles IV-E or IV-B. The State/Tribal agency has provided that waivers of such standards may be made only on a case-by-case basis for non-safety standards (as determined by the State/Tribe) in relative foster family homes for specific children in care. (Tribes, see section 7)	
1355.20(a) 472(c)(1)	1. Foster family home means, for the purpose of title IV-E eligibility, the home of an individual or family licensed or approved as meeting the standards established by the State licensing or approval authority(ies) (or with respect to foster family homes on or near Indian reservations, by the tribal licensing or approval authority(ies)), that provides 24-hour out-of-home care for children. The term may include group homes, agency-operated boarding homes or other facilities licensed or approved for the purpose of providing foster care by the State/Tribal agency responsible for approval or licensing of such facilities. Foster family homes that are approved must be held to the same standards as foster family homes that are licensed.	**Ohio Revised Code sections:** 119.01, 2151.011, 5103.02, 5103.03 **Ohio Administrative Code rules:** 5101:2-1-01, 5101:2-47-16

	Anything less than full licensure or approval is insufficient for meeting title IV-E eligibility requirements. (Tribes, see also section 7)	
1355.20(a)(2) 472(c)(2)	2. Child care institution means a private child care institution, or a public child care institution which accommodates no more than 25 children, and is licensed by the State or Tribe in which it is situated or has been approved by the agency of such State or tribal licensing authority (with respect to child care institutions on or near Indian reservations) responsible for licensing or approval of institutions of this type as meeting the standards established for such licensing. This definition must not include detention facilities, forestry camps, training schools, or any other facility operated primarily for the detention of children who are determined to be delinquent. (Tribes, see also section 7 for requirements related to 471(a)(10).)	**Ohio Revised Code sections:** 119.01, 2151.011,5103.02 **Ohio Administrative Code rules:** 5101:2-1-01, 5101:2-47-16
1356.21(m)(1)&(2) 471(a)(11)	B. REVIEW OF PAYMENTS AND LICENSING STANDARDS The agency reviews at reasonable, specific, time-limited periods established by the State/Tribe: 1. the amount of the payment made for foster care maintenance and adoption assistance to assure	**Ohio Revised Code section:** 121.24 **Ohio Administrative Code rules:** 5101:2-5, 5101:2-7, 5101:2-9, 5101:2-33-18, 5101:2-47-01, 5101:2-47-24

	their continued appropriateness; and 2. the licensing or approval standards for child care institutions and foster family homes.	
471(a)(12)	C. FAIR HEARINGS The State/Tribal agency has a system for granting an opportunity for a fair hearing (before the State/Tribal agency) to any individual whose claim for benefits under this plan is denied or not acted upon with reasonable promptness.	**Ohio Revised Code section:** 5101.35 **Ohio Administrative Code rules:** 5101:6-1 to 5101:6-9 5101:2-47-01, 5101:2-47-07, 5101:2-49-12, 5101:2-49-13
471(a)(13)	D. INDEPENDENT AUDIT The State/Tribal Agency will arrange for a periodic and independently conducted audit, no less frequently than once every three years, of the titles IV-E and IV-B programs.	**Ohio Revised Code section:** 117.11
471(a)(9)	E. CHILD ABUSE AND NEGLECT The State/Tribal agency will report to an appropriate agency or official known or suspected instances of physical or mental injury, sexual abuse or exploitation, or negligent treatment or maltreatment of a child receiving aid under titles IV-B or IV-E under circumstances that indicate that the child's health or welfare is threatened.	**Ohio Revised Code section:** 2151.421 **Ohio Administrative Code rule:** 5101:2-36-03

471(a)(25)&(26)	F. TIMELY INTERSTATE PLACEMENT OF CHILDREN 1. The State/Tribe shall have in effect procedures for the orderly and timely interstate placement of children which provides that: a. within 60 days after the State/Tribe receives from another State or Tribe a request to conduct a study of a home environment for purposes of assessing the safety and suitability of placing a child in the home, the State or Tribe shall, directly or by contract: i. conduct and complete the study; and ii. return to the other State or Tribe a report on the results of the study which shall address the extent to which placement in the home would meet the needs of the child; b. the State or Tribe is not required to complete within the applicable time period the parts of the home study involving the education and training of the prospective foster or adoptive parents; c. the State or Tribe shall treat any such report that is received from another State or an Indian tribe (or from a private agency under contract with another State/Tribe) as meeting any requirements imposed by the State or Tribe for the completion of a home study before placing a child in the home,	**Ohio Revised Code section:** 5103.20 **Ohio Administrative Code rules:** 5101:2-52-04, 5101:2-52-06

	unless, within 14 days after receipt of the report, the State or Tribe determines, based on grounds that are specific to the content of the report, that making a decision in reliance on the report would be contrary to the welfare of the child; and d. the State or Tribe shall not impose any restriction on the ability of an agency administering, or supervising the administration of, a State or Tribal program operated under a plan approved under this part to contract with a private agency for the conduct of such a home study.	
471(a)(18)(A)&(B) 1355.38(a)(2)	G. REMOVAL OF BARRIERS TO INTERETHNIC ADOPTION 1. A State/Tribe or any other entity in the State/Tribe that receives funds from the Federal Government and is involved in adoption or foster care placements may not: a. deny to any person the opportunity to become an adoptive or foster parent, on the basis of race, color, or national origin of the person, or of the child involved; or b. delay or deny the placement of a child for adoption or into foster care, on the basis of race, color, or national origin of the adoptive or foster parent or the child involved; and c. maintain any statute, regulation, policy,	**Ohio Revised Code section:** 5153.166 **Ohio Administrative Code rules:** 5101:2-33-11, 5101:2-42-181, 5101:2-48-13

	procedure or practice that, on its face, is a violation as defined in sections 471(a)(18)(A) and (B)).	
1355.38(a)(5)	2. Compliance with the Indian Child Welfare Act of 1978 (Pub.L.95-608) does not constitute a violation of section 471(a)(18).	**Ohio Administrative Code rule:** 5101:2-53-02
471(a)(19)	H. KINSHIP CARE 1. The State/Tribe considers giving preference to an adult relative over a non-related caregiver when determining a placement for a child, provided that the relative caregiver meets all relevant State/Tribal child protection standards.	**Ohio Revised Code section:** 5101.802 **Ohio Administrative Code rules:** 5101:2-38-05,5101:2-40-04, 5101:9-6-81
471(a)(29)	2. Within thirty days after the removal of a child from the custody of the parent or parents of the child, the State/Tribal agency shall exercise due diligence to identify and provide notice to all adult grandparents and other adult relatives of the child (including any other adult relatives suggested by the parents), subject to exceptions due to family violence, that: a. specifies that the child has been or is being removed from the custody of the parent or parents of the child; b. explains the options the relative has under Federal, State, and local law or Tribal law to	**Ohio Administrative Code rules:** 5101:2-1-01, 5101:2-39-01, 5101:2-40-04

	participate in the care and placement of the child, including any options that may be lost by failing to respond to the notice; c. describes the requirements under paragraph 471(a)(10) to become a foster family home and the additional services and supports that are available for the children placed in such a home; and d. if the State/Tribe has elected to operate a kinship guardianship assistance program, describes how the relative guardian of the child may subsequently enter into an agreement with the State or Tribe under 473(d) to receive the payments. 3. The legal guardianship means a judicially created relationship between the child and relative which is intended to be permanent and self-sustaining as evidenced by the transfer to the relative of the following parental rights with respect to the child: a. protection; b. education; c. care and control of the person; d. custody of the person; and e. decision making.	

471(a)(31)	I. SIBLING PLACEMENT The State/Tribe shall make reasonable efforts to: 1. place siblings removed from their home in the same foster care, kinship guardianship, or adoptive placement, unless the State documents that such a joint placement would be contrary to the safety or well-being of any of the siblings; and 2. in the case of siblings removed from their home who are not so jointly placed, to provide for frequent visitation or other ongoing interaction between the siblings, unless that State/Tribe documents that frequent visitation or other ongoing interaction would be contrary to the safety or well-being of any of the siblings.	**Ohio Administrative Code rules:** 5101:2-42-05, 5101:2-42-92
471(a)(20)(A)	J. SAFETY REQUIREMENTS 1. Safety requirements for foster care, and adoptive home providers. a. The State/Tribe provides procedures for criminal records checks (including finger-print-based checks of national crime information databases (as defined in section 534(e)(3)(a) of title 28, United States Code) for any prospective foster and adoptive parent before the parent may be finally approved for placement of a child regardless of whether foster care maintenance payments or adoption assistance payments are to be made on behalf of	**Ohio Revised Code sections:** 2151.86, 5103.18 **Ohio Administrative Code rules:** 5101:2-5-09.1, 5101:2-7-02, 5101:2-48-10

	the child.	
1356.30(b) 471(a)(20)(A)(i)	b. The State/Tribe does not approve or license any prospective foster or adoptive parent, nor does the State/Tribe claim FFP for any foster care maintenance or adoption assistance payment made on behalf of a child placed in a foster home operated under the auspices of a child placing agency or on behalf of a child placed in an adoptive home through a private adoption agency, if the State/Tribe finds that, in any case involving a child on whose behalf such payments are to be made in which a criminal records check conducted in accordance with paragraph (a) of this section, a court of competent jurisdiction has determined that the prospective foster or adoptive parent has been convicted of a felony involving: i. child abuse or neglect; ii. spousal abuse; iii. a crime against a child or children (including child pornography); or iv. a crime involving violence, including rape, sexual assault, or homicide, but not including other physical assault or battery.	**Ohio Administrative Code rules:** 5101:2-5-091, 5101:2-5-20, 5101:2-7-02, 5101:2-48-05, 5101:2-48-08, 5101:2-48-09, 5101:2-48-10, 5101:2-48-11, 5101:2-48-11.1, 5101:2-48-12, 5101:2-48-12.1
1356.30(c) 471(a)(20)(A)(ii)	c. The State/Tribe does not approve or license any prospective foster or adoptive parent, nor claim FFP for any foster care maintenance or adoption assistance payment made on behalf of a child placed in a foster family home operated under the	**Ohio Revised Code section:** 2151.86 **Ohio Administrative Code rules:**

	auspices of a child placing agency or on behalf of a child placed in an adoptive home through a private adoption agency, if the State/Tribe finds, in any case involving a child on whose behalf such payments are to be made in which a criminal records check conducted in accordance with paragraph (a) of this section, that a court of competent jurisdiction has determined that the prospective foster or adoptive parent has, within the last five years, been convicted of a felony involving: i. physical assault; ii. battery; or iii. a drug-related offense.	5101:2-5-09.1, 5101:2-7-02
1356.30(f)	d. In order for a child to be eligible for title IV-E funding, the licensing file for a child care institution must contain documentation which verifies that safety considerations with respect to the staff of the institution have been addressed.	**Ohio Revised Code section:** 2151.86 **Ohio Administrative Code rules:** 5101:2-5-09, 5101:2-5-09.1
471(a)(20)(B)	e. The State/Tribe shall check any child abuse and neglect registry for information on any prospective foster or adoptive parent and on any other adult living in the home of such a prospective parent for such information, before the prospective foster or adoptive parent may be finally approved for	**Ohio Revised Code sections:** 3107.033, 3107.034, 5103.18 **Ohio Administrative Code rules:** 5101:2-5-09, 5101:2-5-20,

	placement of a child, regardless of whether foster care maintenance payments or adoption assistance payments are to be made on behalf of the child: i. the State/Tribe shall check any child abuse and neglect registry it maintains for such information; ii. the State/Tribe shall request any other State/Tribe in which any such prospective parent or other adult has resided in the preceding 5 years, to check any child abuse and neglect registry maintained by such other State or Tribe for such information; and iii. the State/Tribe shall comply with any such request to check its child abuse and neglect registry that is received from another State or Tribe.	5101;2-7-02, 5101:2-48-05, 5101:48-08, 5101:2-48-09, 5101:2-48-10, 5101:2-48-11, 5101:2-48-11.1, 5101:2-48-12, 5101:2-48-12.1
471(a)(23)(A)&(B)	K. INTERJURISDICTIONAL ADOPTIONS The State/Tribe will not: 1. deny or delay the placement of a child for adoption when an approved family is available outside of the jurisdiction with responsibility for handling the case of the child; or 2. fail to grant an opportunity for a fair hearing, as described in section 471(a)(12), to an individual whose allegation of a violation of part (1) of this subsection is denied by the State/Tribe or not acted	**Ohio Administrative Code rules:** 5101:2-48-13, 5101:2-48-16, 5101:2-48-24

	upon by the State/Tribe with reasonable promptness.	
471(a)(22)	L. QUALITY STANDARDS 1. The State/Tribe has developed and implemented standards to ensure that children in foster care placements in public or private agencies are provided quality services that protect the safety and health of the children.	**Ohio Administrative Code rules:** 5101:2-37-02, 5101:2-33-23
471(a)(24)	2. The State/Tribe will ensure that prospective foster parents are adequately trained with the appropriate knowledge and skills to provide for the needs of the child and that such preparation will be continued after the placement.	**Ohio Revised Code sections:** 5103.031, 5103.032
471(a)(30)	M. COMPULSORY SCHOOL ATTENDANCE The State/Tribal agency has a system for assuring that each child who has attained the minimum age for compulsory school attendance under State/Tribal law and with respect to whom there is eligibility for a payment under the plan is a full-time elementary or secondary school student or has completed secondary school, and for purposes of this paragraph, the term `elementary or secondary school student' means, with respect to a child, that the child is-- 1. enrolled (or in the process of enrolling) in an institution which provides elementary or secondary education, as determined under the law of the	**Ohio Administrative Code rules:** 5101:2-47-01, 5101:2-49-10 (Proposed)

	State or other jurisdiction in which the institution is located; 2. instructed in elementary or secondary education at home in accordance with a home school law of the State or other jurisdiction in which the home is located; 3. in an independent study elementary or secondary education program in accordance with the law of the State or other jurisdiction in which the program is located, which is administered by the local school or school district; or 4. incapable of attending school on a full-time basis due to the medical condition of the child, which incapability is supported by regularly updated information in the case plan of the child.	
471(a)(27)	N. VERIFICATION OF CITIZENSHIP OR IMMIGRATION STATUS 1. The State/Tribe will have in effect procedures for verifying the citizenship or immigration status of any child in foster care under the responsibility of the State/Tribe under title IV-E or part B, and without regard to whether foster care maintenance payments are made under section 472 on behalf of the child.	**Ohio Administrative Code rules:** 5101:2-33-23, 5101:2-33-29
472(a)(4)	2. For the purposes of meeting the requirements of the section 401(a) of the Personal Responsibility	**Ohio Administrative Code rules:** 5101:2-47-03.1, 5101:2-49-25

	and Work Opportunity Reconciliation Act of 1996 (PRWORA), children must meet the definition of "qualified alien" (as defined in section 431(a) of PRWORA) to be eligible for Federal foster care maintenance or adoption assistance (except that children receiving adoption assistance pursuant to agreements signed before August 22, 1996 may continue to receive such assistance).	

Federal Regulatory/ Statutory References	Requirement	State Regulatory, Statutory, and Policy References and Citations for Each
	SECTION 5. GENERAL PROVISIONS	
471(a)(5)	A. PERSONNEL ADMINISTRATION 1. The State/Tribal agency and the local agencies administering the title IV-E program have established	**Ohio Revised Code sections:** 124.11, 124.22, 124.23

	and will maintain methods of personnel administration in conformity with standards for a Merit System of Personnel Administration, prescribed in title 5 CFR 900 by the U.S. Office of Personnel Management pursuant to section 208 of the Intergovernmental Personnel Act of 1970, as amended. 2. The State/Tribal agency is implementing an affirmative action plan to assure equal employment opportunity in all aspects of personnel administration as specified in title 5 CFR 900. The plan provides for specific action steps and timetables to assure such equal opportunity, and is available for review upon request.	
471(a)(8)	B. SAFEGUARDING INFORMATION 1. Subject to section 471(c), the State/Tribal agency has safeguards restricting use of or disclosure of information concerning individuals assisted under this plan to purposes directly connected with:	**Ohio Revised Code sections:** 5103.30, 5101.26 **Ohio Administrative Code rule:** 5101:1-1-03
471(a)(8)(A)	a. the administration of the title IV-E plan or any of the plans or programs under Parts A, B or D of title IV or under titles I, V, X, XIV, XVI (as in effect in Puerto Rico, Guam, and the Virgin Islands), XIX or XX, or the supplemental security income program under title XVI; and	**Ohio Revised Code sections:** 149.43, 5101.27

471(a)(8)(B)	b. any investigation, prosecution, or criminal or civil proceeding conducted in connection with the administration of any such plan or program; and	**Ohio Revised Code sections:** 149.43, 5101.27
471(a)(8)(C)	c. the administration of any other Federal or federally assisted program which provides assistance (in-cash or in-kind) or services directly to individuals on the basis of need; and	**Ohio Revised Code sections:** 5101.27 **Ohio Administrative Code rule:** 5101:2-33-21
471(a)(8)(D)	d. any audit or similar activity conducted in connection with the administration of any such plan or program by any governmental agency authorized by law to conduct such audit or activity.	**Ohio Administrative Code rule:** 5101:1-1-03
471(a)(8)(E)	2. The safeguards provided will prohibit disclosure to: a. any individuals or entities not included in paragraph 1 above; and b. any committee or legislative body (other than an agency referred to in section 471(a)(8)(D) with respect to an activity referred to in such clause) of any information which identifies by name or address any applicant for or recipient of assistance under title IV-E of the Act.	**Ohio Revised Code section:** 5101.30
471(a)(20)(B)(iii)	3. The State/Tribe shall have in place safeguards to prevent the unauthorized disclosure of information in any child abuse and neglect registry maintained by	**Ohio Administrative Code rules:** 5101:2-33-21, 5101:2-33-22, 5101:2-33-70

	the State/Tribe, and to prevent any such information obtained pursuant to section 471(a)(20)(B) from being used for a purpose other than the conducting of background checks in foster and adoptive placement cases.	
471(c)	4. In the use of child welfare records in court proceedings, section 471(a)(8) of the Act shall not be construed to limit the flexibility of a State or Tribe in determining policies relating to public access to court proceedings to determine child abuse and neglect or other court hearings held pursuant to title IV-B or title IV-E of the Act, except that such policies shall, at a minimum, ensure the safety and well-being of the child, parents, and family.	**Ohio Revised Code section:** 5101.30
471(a)(6)	C. REPORTING The State/Tribal agency makes reports in such form and containing such information on the title IV-E program as are required by the Secretary of the Department of Health and Human Services (HHS), and the State/Tribal agency will comply with such provisions as the Secretary may from time to time find necessary to assure the correctness and verification of such reports.	**Ohio Revised Code section:** 5101.97
471(a)(7)	D. MONITORING The State/Tribal agency monitors and conducts evaluations of activities carried out in the title IV-E program.	**Ohio Administrative Code rule:** 5101:1-1-03

1355.30	E. APPLICABILITY OF DEPARTMENT-WIDE REGULATIONS The State/Tribal agency will comply with all of the requirements of applicable regulations.	ODJFS complies with all pertinent federal regulations. **Ohio Revised Code sections:** 5101.11, 5101.27, 5101.141
13565.21(c)	F. AVAILABILITY OF PLANS Plans and amendments for titles IV-E and IV-B are made available by the State/Tribal agency for public review and inspection.	**Ohio Revised Code section:** 149.43
1355.33(b) 1355.33(e) 1355.35(a)	G. OPPORTUNITY FOR PUBLIC INSPECTION OF CFSR MATERIALS The State/Tribal agency makes available for public review and inspection all statewide assessments, report of findings, and program improvement plans developed as a result of a full or partial child and family services review.	**Ohio Revised Code section:** 149.43

ATTACHMENT I

Title IV-E Plan – State of Ohio

CERTIFICATION

I hereby certify that I am authorized to submit the title IV-E Plan on behalf of

Ohio Department of Job and Family Services

Date 12/21/09

Douglas E. Lupkin/ASD
(Signature)

Director
(Title)

APPROVAL
DATE

EFFECTIVE
DATE:

(Signature, Associate Commissioner, Children's Bureau)

ATTACHMENT I

Title IV-E Plan – State of Ohio

CERTIFICATION

I hereby certify that I am authorized to submit the title IV-E Plan on behalf of

Ohio Department of Job and Family Services

Date 12/21/09

(Signature)

Director

(Title)

APPROVAL DATE 7/19/10

EFFECTIVE DATE: 10/1/09

(Signature, Associate Commissioner, Children's Bureau)

GOVERNOR'S CERTIFICATION
TITLE IV-E of the SOCIAL SECURITY ACT

I certify that **Ohio Department of Job and Family Services**

a. has the authority to submit the plan under title IV-E of the Social Security Act and

b. is the single title IV-E agency responsible for administering the plan or supervising the administration of the plan by local political subdivisions/Tribal service area. It has the authority to make rules and regulations governing the administration of the plan that are binding on such subdivisions/service areas. The title IV-E plan is mandatory upon the subdivisions/service areas and is in effect throughout the State/Tribal service areas.

Dec. 21, 2009
Date

Ted Strickland
(Signature)

STATE ASSURANCES

I hereby assure that the State agency administering the title IV-E programs will spend an amount equal to the amount of savings (if any) in State expenditures under title IV-E resulting from the application of section 473(a)(2)(A)(ii) to all applicable children for a fiscal year to provide to children or families any service (including post adoption services) that may be provided under this part or part B.

On behalf of **Ohio Department of Job and Family Services**

Date 12/21/09

(Signature)

Director

(Title)

APPROVAL DATE 7/19/10

DATE: 10/1/09 EFFECTIVE

(Signature, Associate Commissioner, Children's Bureau)