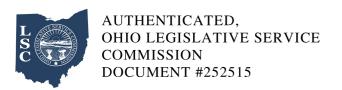# Ohio Administrative Code

Rule 5101:2-49-12 Amendment of an adoption assistance agreement.

Effective: July 1, 2019

(A) Prior to the expiration date of the JFS 01453 "Title IV-E Adoption Assistance Agreement" (rev. 7/2019), the adoptive parent(s) and the public children services agency (PCSA) may by mutual agreement amend the JFS 01453. The amended agreement shall meet all other requirements of rule 5101:2-49-06 of the Administrative Code.

(B) Any request for an amendment to the AA agreement shall contain newly documented special needs of the child or circumstances of the adoptive parent(s) that were not previously subject to the current agreement.

(C) At any time while the JFS 01453 is in effect, the adoptive parent(s) and the PCSA may agree to amend the payment amount or provision for services. If an amendment is requested:

(1) The JFS 01453 shall be entered into by mutual agreement between the adoptive parent(s) and the PCSA pursuant to rule 5101:2-49-05 of the Administrative Code.

(2) The PCSA and adoptive parent(s) shall sign the amended agreement.

(3) The agreement shall meet all requirements of rule 5101:2-49-10 of the Administrative Code.

(4) The PCSA shall give a copy of the amended agreement to the adoptive parent(s) and retain a copy in the child's case record.

(D) If the PCSA and the adoptive parent(s) cannot agree on a mutually acceptable monthly AA payment amount, the PCSA and the adoptive parent(s) may complete a JFS 01453 for a mutually acceptable level of AA payment while negotiations continue through the state mediation conference or the adoptive parent(s) requests a state hearing.

(E) If the adoptive parent(s) requests an amendment of the AA payment specified in an existing

agreement and the PCSA denies the request, the PCSA shall provide the adoptive parent(s) with written notice of the denial and the right to a state hearing.

(F) The PCSA shall not automatically amend the AA payment if the adopted child is placed under the responsibility and care of a PCSA.