



## Ohio Administrative Code

### Rule 5180:2-46-06 Title IV-E kinship guardianship assistance program (KGAP) ongoing verification.

Effective: January 1, 2023

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(A) Ohio department of job and family services (ODJFS) is to provide the kinship caregiver(s) with the JFS 00136 "Title IV-E Kinship Guardianship Assistance Program (KGAP) annual assurance of legal responsibility, school attendance and eligibility for continued Medicaid coverage" annually or whenever impacting eligibility criterion.

(B) For a child who has attained the minimum age for compulsory school attendance, ODJFS is to assure that the child's KGAP case record contains documentation of one of the following:

(1) A child is enrolled full-time, or in the process of enrolling full-time, in an institution providing elementary or secondary education.

(2) A child is instructed in elementary or secondary education at home full-time in accordance with the home school law of the state where the kinship caregiver(s) resides.

(3) A child is in an independent study elementary or secondary education program full-time in accordance with the law of the state where the program is located, which is administered by the local school or school district.

(4) A child is incapable of attending school on a full-time basis due to the medical condition of the child, and the incapability is supported by regularly updated information in the KGAP case record of the child.

(C) The kinship caregiver(s) is to notify ODJFS within fifteen calendar days of the date of a change if:

(1) The child reaches the age of eighteen, or twenty-one if the child is physically/mentally disabled or has a medical condition pursuant to rule 5101:2-46-14 of the Administrative Code.



(2) The child marries or enlists in the military services.

(3) The child's primary health care insurance coverage changes from medicaid to private health care insurance. The kinship caregiver(s) is to complete an ODM 06612 "Health Insurance Information Sheet" as a result of this change.

(4) The kinship caregiver(s) is no longer supporting the child.

(5) The kinship caregiver(s) legal rights have been terminated by a court of competent jurisdiction.

(6) The family moves, or the child establishes their own residence.

(7) The child is deceased.

(D) The kinship caregiver(s) is to be supporting the child. A kinship caregiver(s) is supporting the child if the kinship caregiver(s) provides the child with shelter, food, clothing, or any support regardless of the physical location of the child. A kinship caregiver(s) is generally responsible for the support of a child who is under the age of eighteen or under the age of twenty-one and is physically/mentally disabled or has a medical condition.

(E) A kinship caregiver(s) is not legally required to support the child if the child is emancipated. A child becomes emancipated if the child:

(1) Enlists in the military services.

(2) Marries.

(3) Has been determined to be an emancipated minor by a court of competent jurisdiction or the state of residence.

(F) If the child no longer meets the requirements for KGAP, ODJFS is to terminate the KGAP agreement pursuant to rule 5101:2-46-09 of the Administrative Code.