



## Ohio Administrative Code

### Rule 5180:2-56-02 Eligibility for state kinship guardianship assistance program (KGAP).

Effective: January 1, 2023

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(A) The public children services agency (PCSA) is to use the following criteria to determine eligibility for the state kinship guardianship assistance program (KGAP):

(1) The kinship caregiver(s) has completed the JFS 00128 "Application for State Kinship Guardianship Assistance Program Payments."

(2) The kinship caregiver(s) has obtained foster home certification in accordance with Chapters 5101:2-5 and 5101:2-7 of the Administrative Code. The kinship caregiver(s) has maintained their certification until the court granted custody or legal guardianship of the child.

(3) A determination has been made that the child is not eligible for the federal kinship guardianship assistance program.

(4) The child has been placed in the kinship caregiver's home through voluntary placement agreement or as a result of a judicial determination that continuation in the removal home would be contrary to the welfare of the child.

(5) The child has resided in the kinship caregiver's home for six consecutive months as a foster care placement during the most recent custody episode.

(6) The child has a special need. The child is a child with a special need if the removal parent was unable to reunify with the child.

(7) The case plan for the child is to be in accordance with rule 5101:2-38-05.2 of the Administrative Code.

(B) In addition to the criteria listed in paragraph (A) of this rule, the PCSA has determined the following:



- (1) That reunification or adoption are not appropriate permanency options.
  - (2) The child has a strong attachment to the kinship caregiver and the kinship caregiver has a strong commitment to permanency for the child.
  - (3) The JFS 00129 "State Kinship Guardianship Assistance Program Agreement" was signed by the kinship caregiver(s) prior to the legal custody or guardianship judgement.
  - (4) The youth aged fourteen and older was consulted regarding the kinship guardianship arrangement.
  - (5) The kinship caregiver has named a successor guardian. The successor guardian named in a completed JFS 00129 cannot be the parent of the child.
- (C) An applicant is eligible for payments under the state KGAP program if all the requirements in paragraphs (A) and (B) of this rule are met.
- (D) Any sibling of a child in receipt of state KGAP payments who is placed with the same relative is eligible to receive state KGAP payments under a kinship guardianship arrangement if the PCSA determines this as an appropriate placement.
- (E) The PCSA is to make copies of its policy regarding state kinship guardianship assistance program eligibility available to kinship caregiver(s) applicants and the public upon request in accordance with section 5153.163 of the Revised Code.