



Department of Job & Family Services

Mike DeWine, Governor
Jon Husted, Lt. Governor
Matt Damschroder, Director

Title IV-E Foster Care Maintenance Training

Designed for New Workers

SESSION 2

August 2023



Introduction of the Title IV-E Team

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• Ricardo Murph- Title IV-E Juvenile Court Contact

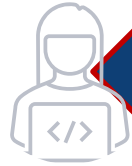
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Housekeeping



Series Training Hours



Breaks



Presentation Slides



Mute and Video



Questions





What is to come?

Session 1

Eligibility

- Legal Responsibility requirements, Judicial Determinations
- Best Interest
- Reasonable Efforts
- Removals
- Case Transfers

Session 2

Aid to Dependent Children (ADC)- Relatedness

- Age
- Living w/ a specified relative
- Deprivation
- Need
- Resources

Session 3

Reimbursement

- Beginning date of reimbursement
- Reimbursable placements
- Non-reimbursable placements
- Leave from a foster home placement
- Bed holds while on leave from a foster home
- Auxiliary payments, personal incidentals
- Penalties
- Right to a Hearing for FCM
- FFPSA Provisions

Session 4

Qualified Residential Treatment Program (QRTF) and Contracts

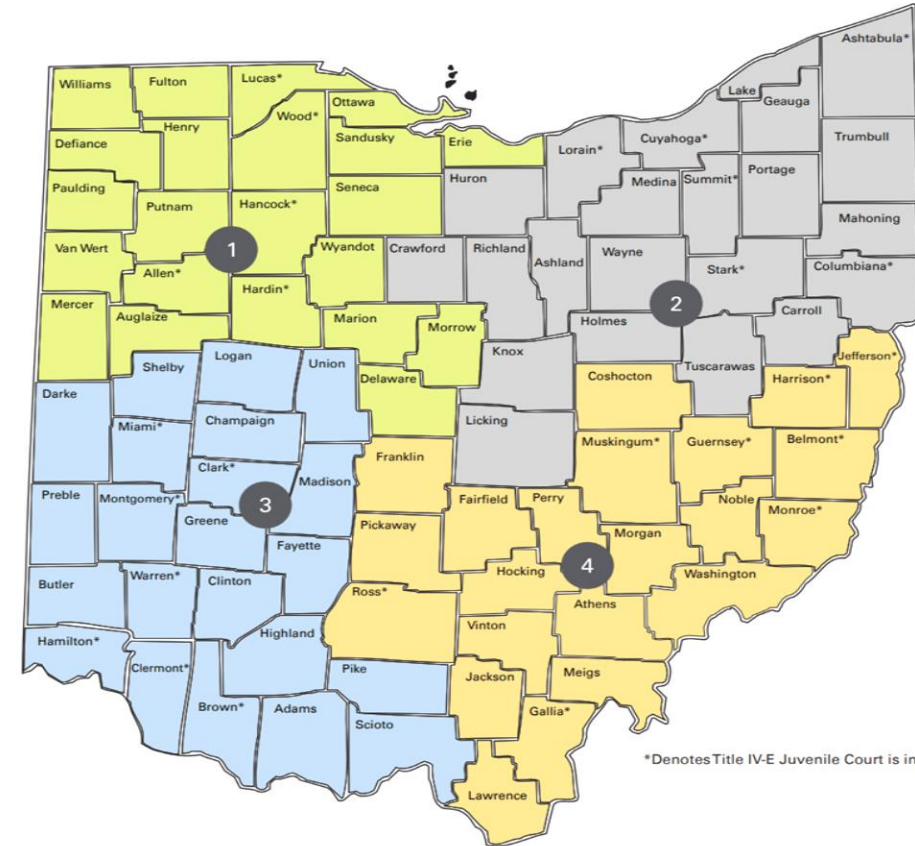
- Contract and Contract Monitoring
- Case Transfers
- Timeframe level of care assessment by a qualified individual using the "Ohio Brief" or "Ohio Comprehensive" versions of the CANS tool
- Timeframe for Judicial determination
- Timeframe for signed approval regarding continued placement by Title IV-E agency director
- Aftercare



When you have questions



Title IV-E Policy Regions & Contacts



*Denotes Title IV-E Juvenile Court is in the county.

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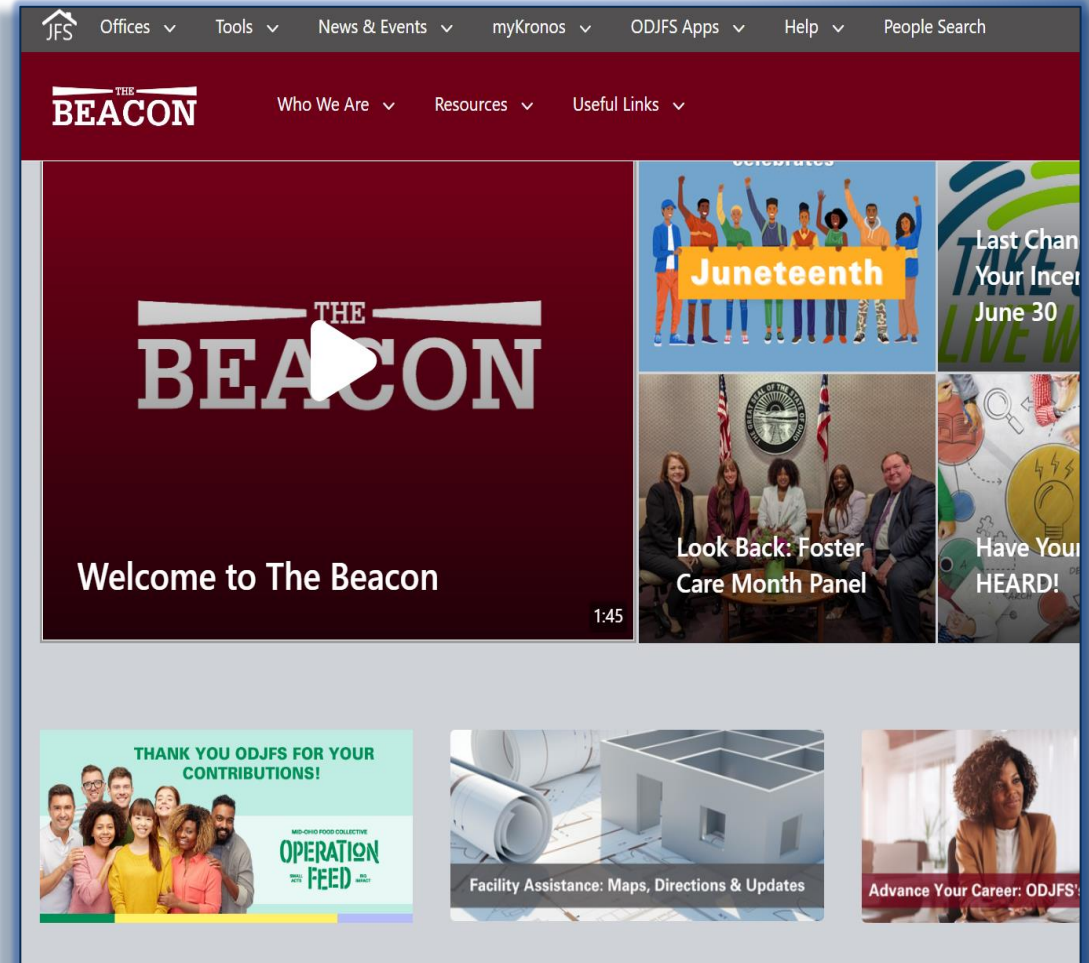


Resources For Your Agency

Often times, finding information you need can be difficult when you're busy and need an answer quickly. We have a great website with many different resources on it as well as other references to help you!

Your policy developer is also available by email or Teams (chat/ call/ virtual meeting) when you need more support or a deeper look into a question!

[TITLE IV-E POLICY PAGE](#)





Session Two



**OAC 5101:2-47-
14.1**

A diagram consisting of two dark blue rounded rectangular boxes with red borders, one above the other. A large, light gray circular arrow surrounds the space between the two boxes, pointing from the bottom box to the top box, indicating a relationship or flow from the program to the regulation.

**AID TO
DEPENDENT
CHILDREN**





Agenda

Review of Aid to Dependent Children- RELATEDNESS

- *This is often referred
as “ADC”*



In order to meet FCM initial program eligibility, the child must have a relatedness to the aid to dependent children (ADC) program authorized under Title IV-A of the Social Security Act as of July 16, 1996.

Each ADC eligibility criteria must be met in the month of, but prior to the child's removal from the home including the date of removal.

All applicable ADC eligibility requirements found in the appendix to rule [5101:2-47-14.1](#) of the Administrative Code shall be applied when determining eligibility for ADC.

Attempts must be made to verify all Title IV-E program eligibility requirements.

Such attempts must be documented in the child's Title IV-E case record. In situations in which no information is available, eligibility cannot be established.





AID TO DEPENDENT CHILDREN-RELATEDNESS

The child **must** meet the **ADC eligibility** requirements that were in effect on July 16, 1996.

• The ADC - relatedness rules from July 16, 1996 are only located in the Appendix in OAC rule 5101:2-47-14.1

- Age
- Living with Specified Relative
- Deprivation
- Need
- Resources



Matrix of AFDC Factors for Title IV-E Foster Care Eligibility

Appendix K: Matrix of AFDC Factors for Title IV-E Foster Care Eligibility¹

Factor	Statutory, Regulatory, or Policy Reference
State AFDC plan, in effect July 16, 1996	§ 472(a), Social Security Act
Child met income need standards	45 CFR § 233.20
Child had resources of \$10,000 or less	§ 472(a)(3)(B), Social Security Act
Child deprived of parental support or care <ul style="list-style-type: none"> Death of parent Continued absence of parent Physical or mental incapacity of parent (documented by medical professional) Unemployment of principle wage earner 	Former § 406(a), Social Security Act 45 CFR § 233.90(c) 45 CFR § 233.100
Child met age requirement <ul style="list-style-type: none"> Under age 18, or Age 18, but under age 19 and full-time student (title IV-A state plan option) 	Former § 406(a), Social Security Act 45 CFR § 233.90(b)(3)
Child lived with specified relative within 6 months of the initiation of court proceedings to remove the child or signing of the voluntary placement agreement (VPA). <ul style="list-style-type: none"> Specified relative is a parent or any relation by blood, marriage, or adoption within the fifth degree of kinship to the child Specified relative exercised responsibility for daily care and control of child 	Former § 406(a)(1) § 472(a)(3)(A)(ii)(II), Social Security Act 45 CFR § 233.90(c)(1)(v) 45 CFR § 233.90(c)(1)(v)(B)
Child "lived with" and "removed from" same specified relative <ul style="list-style-type: none"> AFDC based on home of specified relative who is basis of "contrary to welfare" judicial finding or who signed the VPA AFDC eligible during month court proceedings are initiated to remove the child, or the month the VPA is signed 	45 CFR § 1356.21(l) ACYF-CB-PI-06-06 § 472(a)(3)(A) & (B), Social Security Act

¹ Eligibility decisions for the Aid to Families with Dependent Children (AFDC) program should not be based solely on this summary matrix. Refer to the applicable statutory, regulatory, and policy citation as well as the approved plans for title IV-A and title IV-E of the Social Security Act, for further information.



Eligibility in a Box

Eligibility in a Box:

DESCRIPTION	STATE REQUIREMENT (Ohio Administrative Code)	FEDERAL REQUIREMENT 45 Code of Federal Regulation 1/25/00 & Social Security Act
Legal Responsibility <ul style="list-style-type: none"> • Court Order • VAC • Permanent Surrender 	5101:2-47-13	<ul style="list-style-type: none"> • 1356.21(k)(a)(2) • 1356.22(a)
Best Interests/Contrary to Welfare	5101:2-47-13	1356.21(c)
Reasonable Efforts	5101:2-47-22	1356.21(b)
ADC- Relatedness <ul style="list-style-type: none"> • Age • Living with a Specified Relative • Deprivation • Need • Resources 	5101:2-47-14 5101:7-1-02	Sec 472 of the Social Security Act



Program Eligibility Criteria Includes:

Legal Responsibility

Best Interest

Reasonable Efforts to Prevent the Removal

ADC- Relatedness





Eligibility Month

- Which ever occurs first:
 - The physical removal or the complaint/motion/petition requesting the removal of the child.
 - The month in which the court orders the commitment of the child to the Title IV E agency.
 - The month in which the child is placed in detention.
- If a complaint/motion/petition is filed for custody and the Ex Parte or custody order is not given until the next month, the eligibility month is when the complaint was filed.
 - *Note: The month the child enters custody is not necessarily the same as the eligibility month.*

[OAC 5101:2-47-14](#)





ADC-RELATEDNESS (1996)

Age

Living with a specified relative

Deprivation

Need

Resources

OAC 5101:2-47-14

OAC 5101:2-47-14.1





The child remains program eligible through the month of the 18th birthday.

A child may remain program eligible beyond the 18th birthday only if the child is a full-time student reasonably expected to graduate prior to age 19.

If the child will not graduate by his/her 19th birthday, then eligibility ceases at the end of the month of their child's 18th birthday.



Specified Relative

- A specified relative is a person who is related by blood or married to a blood relative.
- The child must be living with the specified relative at the time of removal, or
- The child had been living with the specified relative within six months of the eligibility month, or in the eligibility month if the child had continued to reside with the specified relative.
- The living with the specified relative is not required for a child who is removed from their parent(s) and living with Kin as a candidate for Title IV-E Family First Prevention Services.

[OAC 5101:2-47-14](#)



Living With A Specified Relative

- The child must have lived with the specified relative (from whom he/she is removed) in the eligibility month or in one of the preceding six months.
 - The specified relative does not have to have custody or be the parent.
- For purposes of Title IV-E FCM, removal of the child from the home of a specified relative means a judicial order for a physical or constructive removal (non-physical, paper removal) of the child from the home of the specified relative.
- A removal has not occurred in situations where legal custody has been removed from the specified relative and the child remains with the same relative.

[OAC 5101:2-47-14](#)



Living With A Specified Relative

- A paper or constructive removal is when a child is considered removed from a person causing the harm to the child, but the child is currently residing with another person.
- A physical removal is when a child is considered removed from the person causing the harm and the child is currently residing with the same person.
- *Reminder: A child must have lived with and been removed from the same person in the eligibility month or the six proceeding months.*

[OAC 5101:2-47-14](#)



Test Your Knowledge- QUESTION

Mom has custody of a child who has been living with a grandmother for six months. The removal order says removal from the mother. Did the child live with their mother in the last six months preceding months?

- A). No
- B). Yes



Test Your Knowledge- ANSWER

Mom has custody of a child who has been living with a grandmother for six months. The removal order says removal from the mother. Did the child live with their mother in the last six months preceding months?

- **Yes**, the child is considered removed from a specified relative.





Deprivation

In the eligibility month, but prior to the removal, the child must be deprived of the support of one or both parents as a result of one of the following:

- Death
- Incapacity
- Continued Absence from home
- Unemployment of principal wage-earner

[OAC 5101:2-47-14](#)





Deprivation

- **Death:**
 - Of one or both parents.
- **Incapacity:**
 - One or both parents are incapacitated due to a physical or mental defect, illness or impairment.
- **Continued absence from the removal home:**
 - Either parent or both parents are out of the home and the nature of the absence causes an interruption or a continued interruption of the parents functioning as provider of maintenance, physical care, guidance of the child or parental rights have been terminated.

[OAC 5101:2-47-14](#)



Continued Absence from the Home

- Continued absence of the parent from the home means that either parent or both parents are out of the home and the nature of the absence causes an interruption or a termination of the parent's functioning as a provider of maintenance, physical care, or guidance for the child.
- Continued absence does not exist when a parent is absent solely by reason of the performance of active duty in the uniform service of the United States.
- Continued absence of a parent from the home does exist when a parent has been convicted of an offense and is under a court sentence requiring the parent to perform unpaid public work or unpaid community service during working hours. The parent is permitted by the court to live at home while serving the sentence because of crowded jail conditions or for other reasons in the public interest. In this situation, the parent is living in the home but is considered absent. The child is deprived because the parent is unable to provide support through paid employment.
- When a child has two legal parents, continued absence is based upon involuntary or voluntary absence from the home or the involuntary or voluntary absence of the one legal parent from the home.
 - Involuntary absence occurs when physical absence, loss of provider function, and the duration of absence is beyond the immediate control of the absent parent. For example, a child is deprived due to continued absence of one parent as a result of imprisonment or hospitalization.
 - Voluntary absences involve situations in which physical absences are within control of the absent parent, such as cases involving desertion, divorce, or separation.

5101:1-3-012



Deprivation

Continued absence includes, but is not necessarily limited to, the following situations:

- The parents are unmarried and have not lived together as man and wife, per rule;
- **One of the parents has been sentenced to a term of seven days or more in jail, workhouse, or penal institution;**
- The parents are divorced or legally separated and are not living together;
- A parent is an inmate or patient in an institution or hospitalized due to illness or injury for as much as seven days;
- The child has been adopted by a single parent. Since the child has only one legal parent, the child is considered deprived since there is not a second parent;
- Two unrelated persons of the opposite sex live together with a child and one of the unrelated persons does not meet the definition of parent as defined in rule 5101:1-3-04 of the Administrative Code.





Unemployment of the Principal Wage Earner parent(PWE):

- Did the parent have earned income in the two year period prior to the eligibility month?
- Which parent had the higher earnings for the two year period to the eligibility month? This will determine the PWE.
- Was the PWE employed less than 100 hours in the eligibility month?
- Was the PWE's work intermittent as evidenced by the PWE's employment of less than 100 hours in each of the two calendar months prior to the eligibility month and expected to be less than 100 hours in the month after the eligibility month?

[OAC 5101:2-47-14](#)



Unemployment of the Principal Wage Earner parent(PWE):

- Deprivation of parental support of care due to unemployment exists when the parent who is the principal earner is determined to be unemployed in accordance with the provisions set forth in this rule and rules 5101:1-3-151 to 5101:1-3-155 of the Administrative Code and is the parent with whom the child is living.
- "Principal earner" is defined as whichever of the dependent child's parents, in a two-parent household, earned the greater amount of income over the twenty-four-month period immediately preceding the month in which an application is made for ADC-U assistance. There is no minimum amount which the parent must have earned to meet this criteria.

5101:1-3-15 ADC-U: Deprivation due to unemployment.

[OAC 5101:2-47-14.1](#)





Unemployment of the Principal Wage Earner Parent(PWE):

- The designation of principal earner remains effective for each consecutive month for which the family receives ADC-U cash benefits. If there is a break in cash eligibility (excluding suspensions) and a new application is filed, a designation of the principal earner shall be based on the twenty-four-month period which immediately precedes the month in which the new application is filed. The principal earner must also meet the work history requirement.
- The principal earner must meet all of the following criteria:
 - Is employed less than one hundred hours a month; or is employed and the hours of employment exceed the one hundred hour per month standard for a particular month, if his work is intermittent and the excess is of a temporary nature as evidenced by the fact that he worked less than the one-hundred-hour standard for the prior two calendar months and is expected to work less than the one-hundred-hour standard during the next month.
 - In a prospective determination of whether the principal earner meets the one hundred-hour requirement, use the actual number of hours the individual expects to work each month.
 - The principal earner must be unemployed by the preceding standard for at least thirty days prior to the receipt of aid.

[OAC 5101:2-47-14.1](#)





Unemployment of the Principal Wage Earner Parent(PWE):

- The principal earner must be the parent with the greatest amount of verified earned income in the twenty-four-month period immediately prior to the month of application.
- In determining which parent will be the principal earner, it does not matter when their relationship started or whether, during the twenty-four-month period prior to the date of application, the father and mother were married to each other or living together. This is solely a test of the amount of earned income each had over the prior twenty-four-month period.
- If neither parent has earnings in the twenty-four months prior to application, (i.e., both have zero earnings) the applicants may choose which of the parents is the designated principal earner. The decision as to which parent is the principal earner should include consideration of work history in order to ensure that the designated principal earner will have sufficient work quarters.
- In some situations both parents have earnings in the twenty-four-month period prior to application but only one parent's earnings can be verified. In order to determine the principal earner in this case, it is necessary to verify the earnings. When only one parent's earnings can be verified, the principal earner has been established as that person, even though the other parent may claim to have more earnings.

[OAC 5101:2-47-14.1](#)





Unemployment of the Principal Wage Earner parent(PWE):

- If both parents earned an equal amount of income in the twenty-four-month period, then the principal earner is by both applicants' choice.
- The principal earner has a prior connection to the labor force as verified by established work history.
- The principal earner is required to apply for and accept any unemployment compensation benefits to which he is entitled (Public Law 94-466). When these benefits are actually received, they are subtracted from the ADC-U money payment.
- Reference: 151 ADC-U: Principal Earner.

[OAC 5101:2-47-14.1](#)





Test Your Knowledge- Question

Would a child be considered deprived if removed from a single adoptive parent?

- A) Yes
- B) No





Test Your Knowledge- ANSWER

Would a child be considered deprived if removed from a single adoptive parent?

- **A) Yes**

- 5101:1-3-012 ADC: Continued Absence. "Continued absence of the parent from the home" means that either parent or both parents are out of the home and the nature of the absence causes an interruption or a termination of the parent's functioning as a provider of maintenance, physical care, or guidance for the child
- Continued absence includes: The child has been adopted by a single parent. Since the child has only one legal parent, the child is considered deprived since there is not a second parent.





- **In the eligibility month the income available to the child, prior to and including the day of removal, must be less than the state of Ohio's 185% and 100% standard of need for ADC eligibility as in effect July 16, 1996.**
 - SSI- If a child receives SSI, do not count any income, either earned or unearned, or resources for the child, in determining reimbursability for Title IV-E FCM payments.
 - Employed Student- If a child is a full-time student, do not count any earned income in determining the child's need for Title IV-E FCM payments.
 - The child must be enrolled and physically attending (as certified by the school or institute attended) a program of study or training leading to a certificate, diploma, or degree to be considered a student.
 - Full time attendance equals 30 clock hours per week.
 - Unearned Income, any unearned income such as Social Security benefits and Veteran's Administration (VA) benefits are counted when determining the child's need for Title IV-E FCM payments.

[OAC 5101:2-47-14](#)



In the eligibility month the income available to the child, prior to and including the day of removal:

- Must be less than the state of Ohio's 185% and;
- 100% standard of need for ADC eligibility.
- As in effect July 16, 1996.



OAC 5101:2-47-14

Standard Filing Unit (SFU)

The **Standard Filing Unit (SFU)** must be considered in the need determination. All income and resources of the SFU members are used in the need standard calculation.

- The SFU is composed of:
 - The child;
 - Siblings related by blood or adoption (who are not deprived or excluded) and living in the removal home;
 - Parents related by blood or adoption living in the home at time of removal.

****Please see rule for exceptions****

OAC 5101:1-21-011

Standard Filing Unit (SFU) Excluded

- **The following individuals should be excluded from the SFU:**
 - Siblings receiving SSI.
 - Siblings receiving federal, state or local foster care maintenance.
 - Siblings receiving federal, state or local adoption assistance.
 - Siblings who are stepsister or stepbrother.
 - Siblings who are not U.S. citizens or qualified aliens.
 - Siblings who do not meet the age requirement.
 - Siblings who are not deprived.

OAC 5101:1-21-011



Standard Filing Unit (SFU) Excluded

- Parents receiving SSI.
- Parents who are not U.S. citizens or qualified aliens
 - (Undocumented Alien Budget)
- Parents who are qualified aliens, but ineligible due to sponsor income –
 - (Alien Sponsor Income Budget)
- Parents who are on permanent intentional program violations –
 - (IPV Budget)
- Stepparents when there are no common children –
 - (Stepparent Budget)
- If no common child- Do Step Parent Budget
 - If common child, part of SFU
 - Specified relatives that the children are living with in place of their parent(s)
- The child of a minor parent (in the minor parent's eligibility).

OAC 5101:1-21-011





STANDARD FILING UNIT CHILD OF MINOR PARENT

- If the agency has custody of the child of a minor parent, eligibility would be determined on the child with the minor parent as the parent.
- When determining the eligibility of a minor child if the minor parent was residing with her parent(s) you would complete a **Minor Parent Living with A Parent Budget Worksheet**.

OAC 5101:1-21-014



- All Title IV-E agencies shall verify United States (U.S.) citizenship and immigration status for all children in foster care regardless of whether Title IV-E foster care maintenance (FCM) payments are made on their behalf.
- All U.S. citizenship and immigration status verification documentation shall be kept in the child's case record regardless of the child's status.
- For a child who enters foster care, the Title IV-E agency shall verify citizenship or immigration status within sixty days of entrance.

OAC 5101:2-33-29



A child who is a qualified non-citizen entering the United States and is placed in foster care shall be required to live in the United States for five years before there is eligibility for FCM or independent living services.

OAC 5101:2-47-03.1





CITIZENSHIP DOCUMENTS

- Documents that verify citizenship are:
 - A U.S. birth certificate.
 - A U.S. passport, unless it is authorized with a limitation; limited passports are issued through the department of homeland security (DHS).
 - A certification of birth issued by the department of state (form DS-1350).
 - A report of birth abroad of a U.S. citizen (form FS-240).
 - A certificate of birth abroad (FS-545).
 - A U.S. citizen identification card (I-197).
 - A certificate of naturalization (N-550 or N-570).
 - A certificate of U.S. citizenship (N-560 or N-561) for children who derived their citizenship through a parent.
 - An extract from a hospital record on hospital letterhead established at the time of the individual's birth that was created at least five years before the initial date of custody, and indicates a U.S. place of birth. For a child under sixteen, the document must have been created near the time of birth.
 - A life insurance, health insurance, or other insurance record showing a U.S. place of birth and created at least five years before the initial date of custody. For children under sixteen, the document must have been created near the time of birth.

OAC 5101:2-33-29





Citizenship Documents

A statement provided from a U.S. consular officer certifying that the individual is a U.S. citizen.

An American Indian Card (I-872) issued by the Department of Homeland Security (DHS) with the classification code (KIC) and a statement on the back identifying U.S. Citizenship of members of the Texas band of Kickapoos living near the United States/ Mexican border.

A state match with the state data exchange (SDX) for supplemental security income (SSI).

Birth information obtained by the Title IV-E agency through ODJFS authorized data exchanges or data sharing agreements.

A federal or state census record showing U.S. citizenship or a U.S. place of birth, including an individual's age.

Native American tribal documents, including but not limited to: A Seneca Indian tribal census record, the Bureau of Indian Affairs tribal census records of the Navajo Indians, A certificate of Indian blood, U.S. American tribal documents or other Native American tribal documents.





Citizenship Documentation

Affidavits may be used only in rare circumstances when the agency is unable to secure evidence of citizenship from another listing. Affidavits are signed under penalty of perjury, but need not be notarized. If the documentation requirement needs to be met through affidavits, the following rules apply:

There shall be at least two affidavits by people who have personal knowledge of the event(s) establishing the individual's claim of citizenship. The two affidavits could be combined in a joint affidavit. At least one of the persons making the affidavit cannot be related to the individual and neither person can be the individual.

Persons making the affidavit must be able to provide proof of their own citizenship. The persons making the affidavit shall have information which explains why documentary evidence establishing the individual's claim of citizenship does not exist or cannot be readily obtained.

OAC 5101:2-33-29



Non-Citizen Documentation

- A qualified non-citizen status shall be verified by one of the following:
 - A non-citizen who is lawfully admitted for permanent residence (I-551) or (I-94) under the Immigration and Nationality Act of 1952 (INA).
 - A non-citizen who is granted asylum (I-94) under section 208 of the INA.
 - A refugee (I-94 or I-571) who is admitted to the U.S. under section 207 of the INA.
 - A non-citizen whose deportation is being withheld (I-688B or I-766) under section 243(h) or section 241 (b)(3) of the INA.
 - A non-citizen who is granted conditional entry (I-94) pursuant to section 203(a)(7) of the INA.
 - A Cuban or Haitian entrant (I-551).
 - A non-citizen or the child or parent of a non-citizen who has been battered or subjected to extreme cruelty in the U.S.
 - An Afghan or Iraqi non-citizen granted special immigrant visa status under Section 8120 of the December 19, 2009 Defense Appropriations Bill (Pub. L. No. 111-118) and section 101(a)(27) of the INA (as in effect October 1, 2019).
 - If a mother is a naturalized U.S. citizen and the baby was not born in the U.S., the baby's citizenship status would depend on whether the baby was born before or after the mother became a U.S. citizen. In most cases, when the parent becomes a naturalized U.S. citizen and the baby is living with the parent in the U.S., the baby would also become a U.S. citizen.
 - A child who is in the U.S. under a visitor or tourist's visa or under a student arrangement does not meet the non-citizen status.





QUALIFIED ALIEN

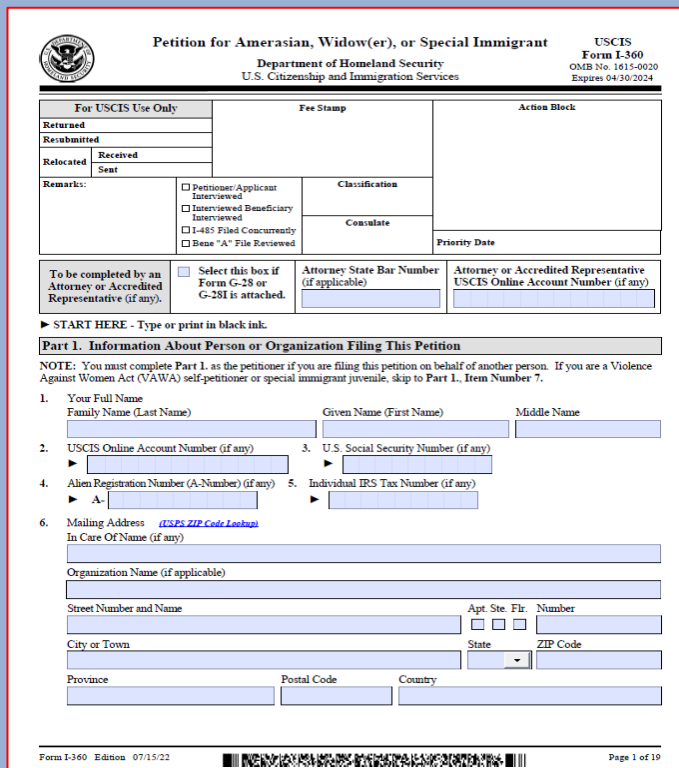
A child who is a qualified alien, entering the United States on or after August 22, 1996, and is placed in foster care shall be required to live in the United States for five years before there is eligibility for FCM or independent living services.

[OAC 5101:2-47-03.1](#)



Special Immigrant Juveniles | USCIS Petition for Amerasian, Widow(er), or Special Immigrant | USCIS

The IV-E Agency has to apply to the *federal* government to obtain a special immigrant juvenile (SIJ) status through the *federal* government. ***Ohio accepts the SIJ status and will grant the child Medicaid once the application is pending.***



Petition for Amerasian, Widow(er), or Special Immigrant
 USCIS Form I-360
 OMB No. 1615-0020
 Expires 04/30/2024

For USCIS Use Only

Returned	Fee Stamp	Action Block
Resubmitted		
Relocated		

Remarks:

☐ Petitioner/Applicant interviewed
☐ Interviewed Beneficiary interviewed
☐ I-485 Filed Concurrently
☐ Base "A" File Reviewed

Classification

Consulate

Priority Date

To be completed by an Attorney or Accredited Representative (if any).

☐ Select this box if Form G-28 or G-281 is attached.

Attorney State Bar Number (if applicable)

Attorney or Accredited Representative USCIS Online Account Number (if any)

▶ **START HERE - Type or print in black ink.**

Part 1. Information About Person or Organization Filing This Petition

NOTE: You must complete Part 1, as the petitioner if you are filing this petition on behalf of another person. If you are a Violence Against Women Act (VAWA) self-petitioner or special immigrant juvenile, skip to Part 1, Item Number 7.

1. Your Full Name
 Family Name (Last Name) Given Name (First Name) Middle Name

2. USCIS Online Account Number (if any) 3. U.S. Social Security Number (if any)

4. Alien Registration Number (A-Number) (if any) 5. Individual IRS Tax Number (if any)

6. Mailing Address [USPS ZIP Code Lookup](#)
 In Care Of Name (if any)

Organization Name (if applicable)

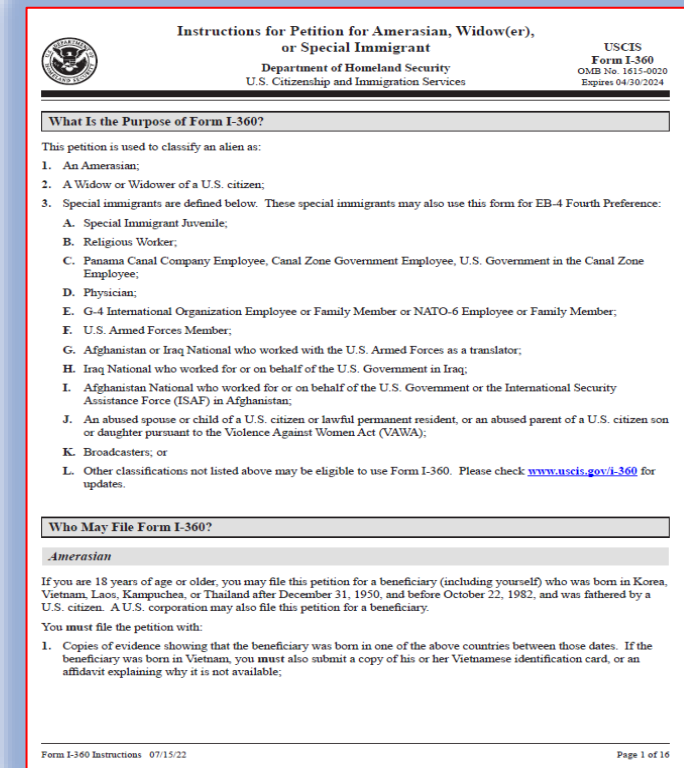
Street Number and Name Apt. Ste. Flr. Number

City or Town State ZIP Code

Province Postal Code Country

Form I-360 Edition 07/15/22 Page 1 of 19

I 360Form & Instruction



Instructions for Petition for Amerasian, Widow(er), or Special Immigrant
 USCIS Form I-360
 OMB No. 1615-0020
 Expires 04/30/2024

What Is the Purpose of Form I-360?

This petition is used to classify an alien as:

- An Amerasian;
- A Widow or Widower of a U.S. citizen;
- Special immigrants as defined below. These special immigrants may also use this form for EB-4 Fourth Preference:
 - Special Immigrant Juvenile;
 - Religious Worker;
 - Panama Canal Company Employee, Canal Zone Government Employee, U.S. Government in the Canal Zone Employee;
 - Physician;
 - G-4 International Organization Employee or Family Member or NATO-6 Employee or Family Member;
 - U.S. Armed Forces Member;
 - Afghanistan or Iraq National who worked with the U.S. Armed Forces as a translator;
 - Iraq National who worked for or on behalf of the U.S. Government in Iraq;
 - Afghanistan National who worked for or on behalf of the U.S. Government or the International Security Assistance Force (ISAF) in Afghanistan;
 - An abused spouse or child of a U.S. citizen or lawful permanent resident, or an abused parent of a U.S. citizen son or daughter pursuant to the Violence Against Women Act (VAWA);
 - Broadcasters; or
 - Other classifications not listed above may be eligible to use Form I-360. Please check www.uscis.gov/i-360 for updates.

Who May File Form I-360?

Amerasian

If you are 18 years of age or older, you may file this petition for a beneficiary (including yourself) who was born in Korea, Vietnam, Laos, Kampuchea, or Thailand after December 31, 1950, and before October 22, 1982, and was fathered by a U.S. citizen. A U.S. corporation may also file this petition for a beneficiary.

You must file the petition with:

- Copies of evidence showing that the beneficiary was born in one of the above countries between those dates. If the beneficiary was born in Vietnam, you must also submit a copy of his or her Vietnamese identification card, or an affidavit explaining why it is not available;

Form I-360 Instructions 07/15/22 Page 1 of 16





Department of
Job & Family
Services

An analog clock with a white face and black numbers, showing the time as approximately 10:10. The clock is slightly out of focus, serving as a background for the central graphic.

Break



Required Application/Update for Title IV-D (Child Support) Services and Referrals to Title IV-A (Public Assistance); Healthchek; Third Party Insurance; and Supplemental Security Income (SSI)

- Send an application, for all children, to the Title IV-D agency for child support utilizing the Ohio statewide automated child welfare system (SACWIS) within sixty days of legal responsibility for care and placement/custody, except where parental rights have been terminated by court order or permanent surrender.
- **Send any court orders and other verifications available to the Title IV-D agency as defined in rule [5101:12-1-01](#) of the Administrative Code in the county in which the child was removed, when the Title IV-E agency obtains legal responsibility for care and placement/custody of the child.**
- Send any court orders upon verification of any changes in the circumstances of the child or parent(s).
- Determine good cause circumstances where it is in the best interest of the child to suppress an application to establish an order for support to the Title IV-D agency.
- Good cause circumstances are to be documented in Ohio SACWIS and include but not limited to the following:
 - The parent(s) would be unable to comply with the permanency plan of reunification due to the financial hardship caused by paying child support.
 - The child is expected to be in foster care for less than sixty days.
 - The noncustodial parent is a potential placement resource.
 - The parent(s) are deceased.
 - Other appropriate circumstances determined by the Title IV-E agency.
- The Title IV-E agency in receipt of child support payments on behalf of a child in care and placement/custody is to use the Title IV-D payment to support the child's cost of care. Any excess Title IV-D payments at the end of the child's care and placement/custody episode is to follow the child.

[OAC 5101:2-47-08](#)



Required Application/Update for Title IV-D (Child Support) Services and Referrals to Title IV-A (Public Assistance); Healthchek; Third Party Insurance; and Supplemental Security Income (SSI)

- Launch the interface electronic notification through Ohio SACWIS to the county Title IV-A agency within ten days of a child entering legal responsibility.
- Capture and exchange information pertinent to IV-E eligibility that may be in existing Title IV-A records from the client registry information system enhanced Ohio integrated eligibility system (OIES)/Ohio Benefits (OB).
- Transfer any selected demographic information that Ohio SACWIS receives from the county Title IV-A agency to determine Title IV-E eligibility.

[OAC 5101-2-47-08](#)



Required Application/Update for Title IV-D (Child Support) Services and Referrals to Title IV-A (Public Assistance); Healthcek; Third Party Insurance; and Supplemental Security Income (SSI)

- The Title IV-E agency is responsible for completing the ODM 03528 "Healthcek and Pregnancy related services information sheet" for each FCM eligible child. [5101:2-42-66.1](#)

For a medicaid eligible child:

- Complete the ODM 03528 "Healthcek and Pregnancy Related Services Information Sheet" and return the form to the CDJFS healthcek coordinator within the following timelines:
 - Within sixty days of the child's entry into substitute care or move to a subsequent placement
 - Annually based on the date the previous ODM 03528 form was completed and returned to the CDJFS healthcek coordinator.
 - Inform the substitute caregiver(s) about healthcek services within sixty days of placement into the caregiver's home by reviewing the ODM 03528 with the substitute caregiver and providing the caregiver a copy of the form.
- Prior to termination of the legal responsibility for care and placement/custody of the child, complete in Ohio SACWIS the pre-termination review (PTR) of continuing Medicaid coverage, ODM 1958 "Referral for Medicaid Continuing Eligibility Review" 5160:1-2 and 5101:6-7

[OAC 5101-2-47-08](#)



Required Application/Update for Title IV-D (Child Support) Services and Referrals to Title IV-A (Public Assistance); Healthchek; Third Party Insurance; and Supplemental Security Income (SSI)

- Attempt to determine if the parent(s), guardian, or custodian has health care insurance coverage available to every FCM eligible child. If such insurance coverage is available, the Title IV-E agency is to complete and submit the ODM 06612 "Health Insurance Information Sheet."
- Complete the ODM 06613 "Accident/Injury Insurance Information" for every FCM eligible child who is involved in an accident where there may be third party liability.

[OAC 5101-2-47-08](#)



Required Application/Update for Title IV-D (Child Support) Services and Referrals to Title IV-A (Public Assistance); Healthchek; Third Party Insurance; and Supplemental Security Income (SSI)

- Consider making an application to the regional office of the social security administration (SSA) for supplemental security income (SSI) benefits for every child. The Title IV-E agency may receive FCM reimbursement and SSI benefits concurrently pursuant to rule [5101:2-47-12](#) of the Administrative Code Found in OAC [5101:2-47-08](#).
- If a child is eligible for both supplemental security income (SSI) and FCM benefits, the Title IV-E agency may choose to do one of the following based on the child's cost of care:
 - Receive both benefits concurrently. If the Title IV-E agency chooses to review and receive both benefits, the FCM payment (including both non-federal and federal dollars) is considered income for the determination of SSI eligibility and reduces the amount of the SSI payment dollar for dollar. If the FCM payment is in excess of the SSI payment, the child will not receive a SSI payment.
 - or*
 - The Title IV-E agency may pay for the placement cost with local (non-federal) dollars, which are not considered income for SSI eligibility, and receive the SSI benefit for reimbursement of the placement cost. [5101:2-47-12](#)



Earned and Unearned Income

- “Earned Income” is payment received by an individual for services performed as an employee or as a result of providing room and board or:
 - Wages
 - Salary
 - Commissions
 - Profit from activities such as a business enterprise
 - Farming
- “Unearned income” is that benefit received in cash which is not the result of current compensation in the form of a wage, salary, or commission for labor or services rendered.
 - OASDI (Social Security)
 - Railroad retirement benefit
 - Veteran’s benefits
 - Other sources of public or quasi-public pensions

[OAC 5101:2-47-14.1](#)



Gross monthly earnings in eligibility month is defined as the actual gross earned income received in the month.

- In calculating gross income, the amount shall be rounded down to the nearest whole dollar by dropping all cents in the weekly, biweekly, or semimonthly determination.
- **Monthly income amounts shall be determined using the following calculations:**
 - Income received on a weekly basis is multiplied by 4.3.
 - Income received biweekly (every two weeks) is multiplied by 2.15.
 - Income received semimonthly (twice a month) is multiplied by 2.

[OAC 5101:2-47-14.1](#)



Income

An amount equal to the actual cost not to exceed \$120 per child when the family member is employed part-time. Part-time is defined as less than 35 hours per week.

- An amount equal to the actual cost not to exceed \$175 per child over the age of two years old when the family member is employed full-time. Full-time is defined as 35 hours or more per week.
- An amount equal to the actual cost not to exceed \$200 per child under the age of two years old when the family member is employed full-time. Full-time is defined as 35 hours or more per week.

[OAC 5101:2-47-14.1](#)





Appendix A 5101:1-23-02

- "Exempt income"

Appendix A 5101:1-23-03

- "ADC: nonexempt income"

Appendix A 5101:1-23-041

- "ADC: treatment of earned income of a dependent child"

Appendix A 5101:1-23-211

- "ADC: self-employment operating expenses"

Appendix A 5101:1-23-212

- "ADC: establishing annual gross earned income from self-employment"

Appendix A 5101:1-23-213

- "ADC: distributing monthly income from self-employment earnings"

[5101:2-47-14.1](#)



5101:1-23-02 Exempt Income

Federal statute and court decisions exclude or exempt certain types of payments or benefits in whole or in part from consideration as income. The exclusions and exemptions vary widely in their effect upon the retention or inclusion of an otherwise eligible person in the assistance group. In some instances, the payments received have no effect on the person's eligibility, and the individual remains part of the assistance group. Rules 5101:1-23-06 to 5101:1-23-18 of the Administrative Code list the various forms of exempt income.

The monthly earned income of each child receiving ADC, if the child is a full-time student, or a full-time student in a program carried out under the Job Training Partnership Act (JTPA), is exempt from the 185% and 100% income tests for a period of time not to exceed six months per calendar year. The six months need not be consecutive but must fall within the twelve-month calendar year.

The income of students will be considered as the first disregard of earned income at all times.





5101:1-23-02 Nonexempt Income

Unless specifically listed as exempt income in rule 5101:1-23-02 of the Administrative Code, all income is considered as nonexempt income and is to be deducted from the need allowance. In the determination of financial need, the amount of gross monthly income must first be established.

Deductions, when applicable, are then made from monthly gross income.

In calculating gross nonexempt income (both earned and unearned), the amount shall be rounded down to the nearest whole dollar by dropping all cents. All cents in gross weekly, biweekly, or semimonthly income shall be dropped prior to applying the conversion factors to convert the income into a standard month.

- All cents shall be dropped before and after multiplying by the appropriate conversion factor, prior to applying the earned income disregards. Hourly rates which contain cents are not rounded but are converted in the exact amount.





5101:1-23-041 Treatment of Earned Income of a Dependent Child

Earned income may be treated specially under certain case situations. The case situations and their special treatment:

- Earned income of an individual included in the assistance group as a dependent child is excluded (not deducted) in determining the amount of grant provided the following occur:
 - Enrolled and Attending full time in program or area of study or training that leads to a certificate, diploma or degree.
 - Enrolled and Attending full time in program or area of study or training that leads to a certificate, diploma or degree and is regularly employed in or available for and actually seeking part-time employment.
 - Enrolled in and physically attending at least part time a program of study or training leading to a certificate, diploma, or degree and is precluded from full-time attendance or part-time employment because of a verified physical handicap.





5101:1-23-211 Self Employment Operating Expenses

"Operating expenses" are the identifiable costs of producing goods or services and without which the goods or services could not be produced. Verified costs of certain items necessary for the operation of a self-employment business/farm are appropriately deducted from the total business income to determine gross earnings.

- The following are those items which may be deducted as operating expenses:
 - (1) The cost of renting land, buildings, machinery, and equipment necessary for the operation of the business or farm.
 - (2) The cost of utilities for business or farm buildings.
 - (3) The cost of office supplies.
 - (4) The amount of real property taxes (except special assessment taxes that increase the value of the property) on business or farm land owned or being purchased by the individual.
 - (5) The cost of employee's wages and benefits and the employer's share of the employee's social security taxes.
 - (6) The costs of repairs and maintenance of business or farm property (including buildings, machinery, equipment, trucks, etc.) owned or being purchased by the individual, if such expenditures do not add to the value of the property.
 - (7) The interest portion of business and farm loans or mortgages.
 - (8) Insurance on business and farm property (including buildings, machinery, livestock, cars, trucks, etc.).
 - (9) Business licenses.
 - (10) The cost of gas and oil for business or farm vehicles.
 - (11) The cost of feed, fertilizer, seeds, plants, and farm supplies.
 - (12) The cost of breeding fees, veterinary fees, and livestock medicines.
 - (13) The cost of advertising.
 - (14) Postage.
 - (15) The cost of tools purchased for the business.
 - (16) Attorney fees related to the business.
 - (17) The cost of tax return preparation.
 - (18) Wholesale cost of products sold.
 - (19) Business-related travel expenses.
 - (20) The cost of business transportation (including parking expenses).

Travel expenses to and from the individual's home to place of employment are not deductible. Travel expenses while at work (such as going to pick-up materials required for the business) are considered a business expense. Personal use of a car is not an allowable expense. All transportation expenses must be prorated according to how the car is used.





5101:1-23-212 Establishing Annual Gross Earned Income from Self-employment



Generally, it will be necessary for the self-employed individual to provide copies of his tax return from the previous year and the individual's current business records in order for a projection of annual gross income to be determined. Additionally, the self-employed individual's estimate of expected income and expenses must be secured.



The amount of annual gross earned income from self-employment shall be determined by subtracting the allowable annual operating expenses (or, if applicable, the standard deduction as set forth in rule 5101:1-23-211 of the Administrative Code) from the annual gross receipts. The amount of the gross annual self-employment earnings shall then be distributed into all months of the taxable year.



5101:1-23-213 Distributing Monthly Income from Self-employment Earnings

The agency must determine the countable monthly income of a self-employed individual based on an estimate of the individual's gross earnings.

Whenever possible, we must secure a copy of the self-employed individual's previous year's tax return. The income listed on the previous year's tax return should be used to estimate the expected earnings for the current and future months.

Unless the individual contests the determination of expected income, as described above, the estimate of income for the current taxable year shall be based on the previous year's tax return.

- If the individual contests the estimate of his income from self-employment based solely on information on the previous year's tax return, the individual must provide a projected estimate of his gross earnings for the current taxable year, based upon his current business records to support his contention.
- In the event that the individual does not have a tax return from the previous year because the business is a new one, (or because the individual's records have been destroyed or are unavailable and all attempts to recover the records have been exhausted) we shall project an estimate of the individual's countable annual income based on the individual's current business records.

In some situations the previous year's tax return of a self-employed individual is not representative of the expected earnings/income for the current year.

- Example-New Business, Lack of expertise with records not recorded monthly

In the absence of both the previous year's tax return and current business records, agency shall require the individual to provide a **written** best estimate of his projected annual income and expenses. The agency shall then determine that one-twelfth of the projected annual income (less expenses) shall be allocated as the individual's gross monthly income.



Subtract "Out-of-Pocket Child Care Expenses" are the actual child care costs that are paid by the family (child care paid by a vendor, e.g., CDJFS is not included). Allowable expenses are:

- An amount equal to the actual cost not to exceed \$120 per child when the family member is employed part-time. Part-time is defined as less than 35 hours per week.
- An amount equal to the actual cost not to exceed \$175 per child over the age of two years old when the family member is employed full-time. Full-time is defined as 35 hours or more per week.
- An amount equal to the actual cost not to exceed \$200 per child under the age of two years old when the family member is employed full-time. Full-time is defined as 35 hours or more per week.



- Title IV-E FCM payments and SSI benefits may be received concurrently
 - SSI and Costs of Care (SSI is reduced dollar for dollar).
- Determining which reimbursement is best SSI or FCM
 - Multiply the costs of care (maintenance only) by the current Federal Financial Participation (FFP)
 - **July- September 2023** – $2.5\% + 63.58\% = 66.08\%$
 - **October – December 2023** – $1.5\% + 64.30\% = 65.80\%$
 - The FFP or Federal Medicaid Assistance Percentage changes each Federal Fiscal Year. (October 1- September 30).
- SSI amount \$914 for January 2023 -December 2023.
- **If you decide to receive the SSI, your agency can still claim for any Administrative Costs and Medicaid**

[OAC 5101:2-47-12](#)





SSI or FCM - Costs of Care July 1, 2023, through September 30, 2023

The FFP or Federal Medicaid Assistance Percentage changes each Federal Fiscal Year.(October 1-September 30)

<u>SSI ceiling amount 2023</u>	<u>Costs of Care E.g., (maintenance costs)</u>	<u>Calculation</u>	<u>Receive more if you keep the</u>
\$914	\$900	\$900 x 66.08% FFP \$ 594.72 FCM	<u>SSI</u>
\$914	\$1000	\$1000 X 66.08 % FFP \$ 660.08 FCM	<u>SSI</u>
\$914	\$1100	\$1100 X 66.08 % FFP \$ 726.88 FCM	<u>SSI</u>
\$914	\$1175	\$1175 X 66.08 % FFP \$ 776.44 FCM	<u>SSI</u>
\$914	\$1800	\$1800 X 66.08 % FFP \$ 1,184.40 FCM	<u>FCM</u>
\$914	\$9000	\$9000 X 66.08 % FFP \$ 5,922.00 FCM	<u>FCM</u>



Appendix A 5101:1-23-033

- "ADC: disregards of earned income."
- Total Earned Income is the net countable amount after the work disregard and the out-of-pocket child care expenses.

Appendix A 5101:1-23-035

- "ADC: program eligibility for applicants."
- Total "Countable Unearned Income" is the amount of nonexempt unearned income received by the family member.



- Appendix A 5101:1-23-031

- "ADC: unearned income"

- Appendix A 5101:1-23-06

- "ADC and DA: relocation assistance"

- Appendix A 5101:1-23-08

- "ADC: bona fide loans"

- Appendix A 5101:1-23-09

- "ADC: educational grants & scholarships for college expenses"

- Appendix A 5101:1-23-12

- "ADC: contributions for shared living expenses"

- Appendix A 5101:1-23-13

- "ADC: casual income"

- Appendix A 5101:1-23-14

- "ADC and DA: income in kind"

- Appendix A 5101:1-23-17

- "ADC: income paid by public or private agencies or community groups"

- Appendix A 5101:1-23-20

- "ADC: earned income tax credit"

5101:23-031 Unearned Income

"Unearned income" is that benefit received in cash which is not the result of current compensation in the form of a wage, salary, or commission for labor or services rendered.

- The gross amount of OASDI (commonly known as Social Security, is the Old-Age, Survivors and Disability Insurance program), railroad retirement benefits, veterans' benefits, or other sources of public or quasi-public pensions is considered net income, and the full amount received would be deducted as income from the need allowance for the assistance group.
- The gross amount of other types of pensions or other unearned income is usually the same as net deductible income.
- The entire payment from mortgage and land contract payments is unearned income. The verified amount paid for taxes and insurance on the property are an allowable expense. Any amount the individual pays on the property such as the mortgage payment itself is deducted.
- Sick leave payments received in the form of an insurance benefit are unearned income. Benefits received in the form of wages are earned income.
- The income received from the rental of real property where the property is managed by a management firm or other company is considered unearned income to the family.



5101:1-23-06 Relocation Assistance

A relocation assistance benefit, paid by a public agency to a public assistance recipient who has been relocated as a result of a program of area redevelopment, urban renewal, freeway construction, or any other public development involving demolition or condemnation of existing housing, is exempt income for the ADC and DA programs provided:

- The benefit payment is a nonrecurring lump sum; or
- If more than one payment is made, such payments are made for a limited time in a manner which does not result in duplication of an allowance in the assistance standard.
- Examples are highway relocation assistance paid under sections 163.53 to 163.55 of the Revised Code and any additional relocation payment under Public Law 91-646 (Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970).





5101:1-23-08 Bona Fide Loans

A bona fide loan obtained by an ADC assistance group member from any source is exempt from consideration as countable income or resources. **A bona fide loan shall not be considered as income available to the assistance group because the loan is a debt that the assistance group has an obligation to repay.** The receipt of a bona fide loan (regardless of the source from which and the reason for which the bona fide loan was secured) by an assistance group shall not adversely affect the assistance group's eligibility or level of benefits because the loan does not result in a gain to the assistance group that should be considered as countable income.

- Only bona fide loans are exempt from consideration as income. In determining whether a bona fide loan exists, any of the situations described below and in rule shall suffice as evidence of a bona fide loan.
- A bona fide loan may be established by a written agreement to repay the money within a specified time frame.
- A bona fide loan may be established by the existence of evidence to verify that the loan was obtained from an individual or establishment engaged in the business of making loans.
- A bona fide loan may be established by the fact that the loan is obtained from an individual or establishment not normally engaged in the business of making loans, if one of the situations below and in rule exists. The loan may be defined as a bona fide loan if:
 - The borrower's acknowledgement of the obligation to repay the loan exists (with or without interest); or
 - The borrower has expressed intent to repay the loan either by pledging real or personal property, or anticipated income; or
 - A written statement exists detailing the borrower's plans to repay the loan when future anticipated income is received (e.g., a timetable and plan for repayment).





5101:1-23-09 Educational Grants and Scholarships for College Expenses

Educational grants and scholarships from any source for undergraduate and graduate college expenses are exempt from consideration as income or resources.

Educational grants and scholarships are treated in the same manner whether the assistance group member who is the student is an adult or a child.

Educational grants and scholarships are totally exempt as income or resources whether the funds are paid directly to the school or paid to the student.

Educational grants and scholarships that are paid for, or to, a student strictly for educational expenses, or grants and scholarships that include educational and living expenses are exempt regardless of the source from which or the terms under which they are granted, as long as the funds are granted as financial assistance to a student attending an undergraduate or graduate educational institution. Examples include, but are not limited to:

- Any benefit received through participation in the federal work study program
- PELL grant
- Supplemental education opportunity grant (SEOG)
- State student incentive grant (SSIG)
- Ohio instructional grant (OIG)
- War orphans' scholarship program for children of deceased or disabled veterans
- Nursing scholarship program
- Health professions scholarship program
- Law enforcement educational program (LEEP)
- Veterans administration benefits (GI Bill)





5101:1-23-12 Contributions for Shared Living Expenses

Cash payments (contributions) received by an ADC assistance group from an individual who is not an assistance group member, but who resides in the household with the ADC assistance group and shares responsibility for the household expenses through an informal arrangement, shall not be considered unearned income available to the ADC assistance group.

- The cash contribution given to the ADC assistance group by the individual who is not an assistance group member is not available income to the ADC assistance group because the payment represents the individual's (who is not an assistance group member) share of the household expenses.

However, if the individual who shares the residence with the ADC assistance group voluntarily gives a cash contribution to the ADC assistance group for its unrestricted use, the cash contribution shall be treated as unearned income to the ADC assistance group.



5101:1-23-13 Casual Income

"Casual or inconsequential income" is income in cash or in kind which is unpredictable as to amount and time of receipt, of short duration, and by itself, of negligible importance in meeting continuing needs under the appropriate aid standard.

Casual income remains such as long as it is not recurring and does not exceed thirty dollars per recipient in any quarter, beginning with January, April, July, or October.

- The rule provides examples to illustrate some types of income which usually are considered casual income for the ADC program.





5101:1-23-14 Income in Kind

"Income in kind" is any benefit received other than in cash. Free rent, including the situation where the absent parent is responsible for meeting housing or rent payments, is an example of income in kind. Income in kind is exempt in the determination of need and the amount of the assistance payment for the ADC and DA programs.





5101:1-23-17 Income Paid by Public or Private Agencies, or Community Groups

Income paid by public or private agencies, or community groups, which is either designated by law to be disregarded or given for a special purpose, shall not be deducted.

- There is a long list of examples that could be included in this rule.



Effective January 1, 1991, any earned income tax credit (EITC) received, whether added to the individual's wages or as part of an income tax refund, is exempt from consideration as income in the determination of eligibility or level of benefits.





Eligibility Worksheets

- The following worksheets are available in Ohio SACWIS to assist with determining income and resources that may affect the child's income/need calculation.
 - Intentional Program Violation (IPV) -Ohio Benefit recipients may have had their benefits suspended. This impacts the unearned benefits.
 - Alien Sponsor-Child and family are in the U.S. and sponsored by a citizen who is providing financial support.
 - Parent of a Minor Parent Budget-A portion of the "grandparent(s)" income and resources is included.
 - Stepparent Budget-A portion of the stepparent's income is included since by marriage is supporting the spouse.
 - Undocumented Alien -A portion of the income is included.





Department of
Job & Family
Services

Ohio SACWIS

How to complete IV-E determination





Ohio SACWIS

How to complete IV-E determination

The screenshot displays the Ohio SACWIS web application. At the top, a navigation bar includes tabs for Home, Intake, Case, Provider, Financial, and Administration. The 'Financial' tab is highlighted with a red border. Below this, a secondary menu shows options like Workload, Action Items, Services, Eligibility, Payment, Benefits, and Statistical & Expenditure Reports. The 'Eligibility' option is also highlighted with a red border. On the left side, a sidebar menu lists various services, with 'Eligibility/Reimbursability' highlighted by a red box. The main content area is titled 'Person Selection' and contains a 'Person Search' button, a '~ OR ~' separator, and a 'Person ID' input field with a 'Go' button.

Home	Intake	Case	Provider	Financial	Administration	
Workload	Action Items	Services	Eligibility	Payment	Benefits	Statistical & Expenditure Reports
State Data Mgt	Invoicing					

< >

- CRIS-E/OIES Inquiry
- Eligibility/Reimbursability**
- Prevention Services
- Adoption Subsidy
- Nonrecurring
- PASSS
- KGAP
- KPIP
- Medicaid Eligibility
- CRIS-E/OIES Inquiry History

Person Selection

Person Search ~ OR ~ Person ID: Go





Ohio SACWIS

How to complete IV-E determination – Cont.

Person Selection

Person Search

~ OR ~

Person ID:

Go

Name / ID:
[Simpson, Maggie /](#)

Age, DOB:

Assigned Workers:

Title IV-E # / Medicaid Recipient ID:

[Legal Status History](#)

Program Eligibility

☒ Include Created in Error

Determination Type:

Initial

Add Eligibility

Program Reimbursability

Effective Date:

End Date:

Add Reimbursability





Ohio SACWIS

How to complete IV-E determination – Cont.

Initial Eligibility Details

NAME / ID: <u>Simpson, Maggie /</u>		AGE, DOB: 0, 01/01/2023	CASE ID:
ELIGIBILITY ID: 	TITLE IV-E # / MEDICAID RECIPIENT ID: 	STATUS: Pending	IV-E ELIGIBLE: Not Determined

Eligibility Details

Eligibility Month: *

06/2023

Effective Date: *

06/09/2023

Termination Date:

Initial Program Eligibility

Initial Removal and corresponding placement exists.

YES

Removal Date:

06/09/2023

Requirements 1 to 7

View / Update

Requirements 1 to 7

1. The child is a citizen or a qualified alien.

Incomplete





Ohio SACWIS

How to complete IV-E determination – Cont.

Requirements 1 to 7		
Citizenship Information - Requirement 1		
U.S. Citizen: <input type="text" value="Yes"/>		
Birth City, State, Country: <input type="text" value=" , Ohio, United States"/>		
Legal Responsibility - Requirement 2		
Agency Legal Status: <input type="text" value="Ex-parte"/>	Effective Date: <input type="text" value="06/09/2023"/>	
Termination Date: <input type="text"/>		
Best Interest - Requirement 3		
Best Interest: Ruling Date: <input type="text" value="06/09/2023"/>		Best Interest Received Ruling Received: <input type="text" value="Best Interest"/> Ruling Type: <input type="text" value="Custody"/>
Reasonable Efforts - Requirement 4		
Reasonable Efforts: Ruling Date: <input type="text" value="06/12/2023"/>		Reasonable Efforts Received Ruling Received: <input type="text" value="RE to Prevent Removal - Initial"/> Ruling Type: <input type="text" value="Shelter Care"/>





Ohio SACWIS

How to complete IV-E determination – Cont.

Age Eligibility - Requirement 5

Eligibility Month:
06/2023

DOB:
01/01/2023

Child's Age at the time of Removal:
0 years, 5 months

How Verified: *

✓ ABC

4000





Ohio SACWIS

How to complete IV-E determination – Cont.

Living with Specified Relative - Requirement 6

Was the child removed from a specified relative? ⓘ

Name of Relative:
Change Specified Relative

Relationship to Child:
Update Relationship

Did the child live with the specified relative in the eligibility month or any one of the preceding six months?

How Verified:

✓ ABC
4000

Deprivation - Requirement 7

Deprivation Type: *

Apply

Save

Cancel





Ohio SACWIS

How to complete IV-E determination – Cont.

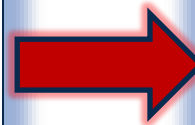
Requirements 8 and 9

Standard Filing Unit (SFU) Members - Requirement 8

Available Case Members

	Person	Relationship to Child	Receives SSI/FCM/AA	Worksheet Completed
<input type="checkbox"/>	Simpson, Homer R / Male Age 32, DOB: 01/01/1991	Biological Father	No	
<input type="checkbox"/>	Simpson, Abe / <input type="text"/> Male Age 71, DOB: 07/21/1952	Grandfather	No	
<input type="checkbox"/>	Simpson, Bart / Male Age 10, DOB: 01/01/2013	Biological Brother	No	
<input type="checkbox"/>	Simpson, Lisa / <input type="text"/> Female Age 7, DOB: 01/01/2016	Biological Sister	No	
<input type="checkbox"/>	Simpson, Maggie / Female Age 0, DOB: 01/01/2023	Self	No	
<input type="checkbox"/>	Simpson, Marge / <input type="text"/> Female Age 20, DOB: 01/01/2003	Biological Mother	No	

Add SFU Member



SFU Members

Name / ID	Relationship to Child	Address	Income Verified	Resource Verified	Expense Verified	
Simpson, Maggie /	Self		Unverified	Unverified	Unverified	
Simpson, Homer R / <input type="text"/>	Biological Father		Unverified	Unverified	Unverified	
Simpson, Bart / <input type="text"/>	Biological Brother		Unverified	Unverified	Unverified	
Simpson, Lisa / <input type="text"/>	Biological Sister		Unverified	Unverified	Unverified	
Simpson, Marge / <input type="text"/>	Biological Mother		Unverified	Unverified	Unverified	



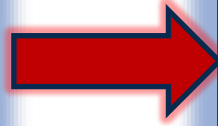


OHIO SACWIS –Intentional Program Violation (IPV) Budget

To be used when there is an individual in the home on a permanent ADC intentional Program Violation(IPV) not included in the SFU

Budget Worksheets

1. [Income/Resource Summary](#)
2. [Alien Sponsor Worksheet](#)
3. [Intentional Program Violation \(IPV\)](#)
4. [Minor Parent living with Parent\(s\)](#)
5. [Stepparent](#)
6. [Undocumented Alien](#)



Intentional Program Violation (IPV) Budget Worksheet

IPV Budget

Name of Individual #1: *

Simpson, Abe - 07/21/1952

Name of Individual #2:

[Update Employment/Resources](#)

[Update Employment/Resources](#)

Number of IPV(s) Employed:

0

Gross Monthly Earned Income of IPV Individual(s).

\$0.00

Work Disregard:

\$90 - 1 employed parent, \$180 - 2 employed parents

\$0.00

Subtotal : \$0.00

Monthly Unearned Income of IPV individual(s):

Does not include SSI (or Other Social Security or VA Benefits Received in Addition to SSI) DA, RCA or OWF.

\$0.00

Countable income deemed to the SFU as unearned income: \$0.00

Calculate

Save

Cancel

Delete





OHIO SACWIS – Alien Parent(s) with Sponsor

income budget To be used when there is an alien, not included in the standard filing unit and the alien has a sponsor

Alien Parent(s) with Sponsor Income Budget Worksheet

Sponsor Information

Name of Sponsor: *

Name of Sponsor's Spouse:

Gross monthly income for the sponsor: *

\$0.00

Gross monthly income for the sponsor's spouse:

\$0.00

Countable income deemed to the SFU as unearned income: \$0.00

Calculate

Save

Cancel

Delete





OHIO SACWIS – Minor living with Parent's Budget

To be used when there is a minor parent living with self sustaining parent(s) and the parent(s) are not included in the standard filing unit

Minor Parent Living with Parent(s) Budget Worksheet

Parent(s) Budget

Name of Minor Parent's Parent 1: *

Name of Minor Parent's Parent 2:

[Update Employment/Resources](#) [Update Employment/Resources](#)

The number of individuals including the minor parent's parent(s) living in the home and whose needs are not included in the SFU and who are claimed or could be claimed by the minor parent's parent(s) as dependents under IRS rules. *

The number of minor parent's parent(s) employed: 0
Does not include individuals if in receipt of SSI

Gross monthly earned income of minor parent's parent(s): \$0.00

Work disregard for employed minor parent's parent(s): \$0.00
\$90 - one employed parent, \$180 - two employed parents

Subtotal (Earned Income minus Disregard): \$0.00

Monthly unearned income of minor parent's parent(s): \$0.00
Does not include SSI (or Other Social Security or VA Benefits Received in Addition to SSI) DA, RCA or OWF

Subtotal (Previous Subtotal plus Unearned Income): \$0.00

100% need standard for the number of individuals: \$0.00

Subtotal (Previous Subtotal minus Need Standard): \$0.00

Amount of payments made by minor parent's parent(s) for individuals not living in the home, but claimed or could be claimed by the minor parent's parent(s) as dependents under IRS rules. * \$ 0.00

Subtotal (Previous Subtotal minus Dependent Payments): \$0.00

Amount paid by minor parent's parent(s) as alimony or child support for individuals not living in the home: \$0.00

Countable income deemed to the SFU as unearned income: \$0.00

Calculate

Save Cancel Delete



OHIO SACWIS – Stepparent Budget

Stepparent Budget Worksheet

Stepparent Budget

Name of Stepparent: *

[Update Employment/Resources](#)

The number of individuals including the stepparent living in the home and whose needs are not included in the SFU and are claimed or could be claimed by the stepparent as dependents under IRS rules (Do not include individuals if in receipt of SSI): *

Gross monthly earned income of stepparent: \$0.00

Work disregard for employed stepparent: \$0.00
\$90 - one employed parent

Subtotal (Earned Income minus Disregard): \$0.00

Monthly unearned income of stepparent: \$0.00
Does not include SSI (or Other Social Security or VA Benefits Received in Addition to SSI) DA, RCA or OWF

Subtotal (Previous Subtotal plus Unearned Income): \$0.00

100% need standard for the number of individuals: \$0.00

Subtotal (Previous Subtotal minus Need Standard): \$0.00

Amount of payments made by stepparent for individuals not living in the home, but claimed or could be claimed by the stepparent as dependents under IRS rules. *

\$ 0.00

Subtotal (Previous Subtotal minus Dependent Payments): \$0.00

Amount paid by stepparent as alimony or child support for individuals not living in the home: \$0.00

Countable income deemed to the SFU as unearned income: \$0.00

Calculate

Save

Cancel

Delete





OHIO SACWIS Undocumented Alien Worksheet

Undocumented Alien Parent(s) Budget Worksheet

Parent(s) Budget

Name of Undocumented Alien Parent 1: *

[Update Employment/Resources](#)

Name of Undocumented Alien Parent 2:

[Update Employment/Resources](#)

The number of individuals including the alien parent(s) living in the home and whose needs are not included in the SFU and are claimed or could be claimed by the alien parent(s) as dependents under IRS rules: *

Number of alien parent(s) employed: 0
Does not include individuals if in receipt of SSI

Gross monthly earned income of alien parent(s): \$0.00

Work disregard for employed alien parent(s): \$0.00
\$90 - one employed parent, \$180 - two employed parents

Subtotal (Earned Income minus Disregard): \$0.00

Monthly unearned income of alien parent(s): \$0.00
Does not include SSI (or Other Social Security or VA Benefits Received in Addition to SSI) DA, RCA or OWF

Subtotal (Previous Subtotal plus Unearned Income): \$0.00

100% need standard for the number of individuals: \$0.00

Subtotal (Previous Subtotal minus Need Standard): \$0.00

Amount of payments made by alien parent(s) for individuals not living in the home, but claimed or could be claimed by the alien parent(s) as dependents under IRS rules: \$ 0.00

Subtotal (Previous Subtotal minus Dependent Payments): \$0.00

Amount paid by alien parent(s) as alimony or child support for individuals not living in the home: \$0.00

Countable income deemed to the SFU as unearned income: \$0.00

Calculate

Save Cancel Delete





JULY 1996 NEED
STANDARD

OAC 5101:1-21-04

<u>SFU</u>	185%	100%
<u>Size</u>		
1	1046	566
2	1438	777
3	1757	950
4	2170	1173





Resources

The resources
available to the SFU
may not exceed
\$10,000.

OAC 5101:1-3-05

Countable resources include:

- Cash on Hand
- Checking and Savings Accounts
- Real Property not used as the homestead
- Vehicles- 1 vehicle less than \$1500; excess value included
- Cash value of Life Insurance Policies
- Burial Plots (in excess of 1 per SFU member)
- Revocable funeral agreement amounts in excess of \$1,500
- Stocks or Bonds
- Trust Funds



Excluded Resources

The \$10,000 resource limit does not include:

- Homestead property which is the usual residence of the assistance group.
- One motor vehicle, the value of which does not exceed \$1,500 with consideration of liens and encumbrances and any excess value over the limit is applied to the overall resource limit.
- Items or property owned by the SFU that are considered as household goods and personal effects.

OAC 5101:1-3-053



Excluded Resources

- The resources of an SSI recipient and the resources of an individual for whom federal, state, or local FCM or AA payments are made.
- Funeral agreements valued at \$1,500 or less for each member of the SFU. Equity value for funeral arrangements that exceed the limit shall be counted toward the overall resource limit.
- One burial space for each member of the SFU.
- Bona fide loans from any source.

OAC 5101:1-3-053/054



Excluded Resources

- Educational grants and scholarships from any source for undergraduate and graduate college expenses.
- Payments received by individuals of Japanese ancestry under section 105 of Public Law 100-383, and payments received by Aleuts under section 206 of Public Law 100-383.
- Payments received under the provisions of the Agent Orange Compensation Exclusion Act (Public Law 101-201).

OAC 5101:1-3-053



Excluded Resources

- Earned income tax credit (EITC) payments in the form of a refund of “federal” income taxes or in the form of an advance payment by an employer must be disregarded in the month of receipt and the month following:
 - The resources of an individual on whose behalf federal, state, or local FCM payments are made.
 - The resources of an individual who is excluded from the ADC SFU on whose behalf federal, state, or local AA payments are made.

OAC 5101:1-3-053



Program Eligibility

A child is program eligible if at the time the child entered care:

- The IV-E agency was legally responsible for care and placement of the child.
- There is a judicial determination of best interest.
- There is a judicial determination of reasonable efforts to prevent removal.

Child meets the ADC-relatedness requirements:

• *Age*

• *Specified relative*

• *Deprivation of parental support*

• *Need*

• *Resources*



Test Your Knowledge- Question

The child being removed is living with both parents and two siblings. One of the siblings has a different father (not in the home). Who is in the SFU?

- A. Child, both siblings, parents including the other father.
- B. Child, one sibling and parents.
- C. Child, neither sibling and parents.





Test Your Knowledge- Answer

The child being removed is living with both parents and two siblings. One of the siblings has a different father (not in the home). Who is in the SFU?

- B. Child, one sibling and parents = SFU of 4
 - *One of the siblings is not deprived since both of his/her parents are in the home.*





Wrapping Up



Today we reviewed all the areas associated with ADC and section 5101:2-47-14.1 appendix regarding ADC eligibility with age, living with a specified relative, deprivation, need and resources.



The next topic area will be reimbursement. This will include beginning dates of reimbursement, placements, leave from placement, bed holds, auxiliary payments, penalties, right to a hearing for FCM and FFPSA provisions.





Questions?





Thank you for
attending the
second training
session!

