



Ohio Legislative Service Commission

Bill Analysis

Laura Gengo

H.B. 423

130th General Assembly
(As Introduced)

Reps. Milkovich and Wachtmann, Foley, Antonio, Blair, Bishoff, Barnes, Smith, Grossman, Fedor, Reece, Stebelton

BILL SUMMARY

- Requires the Director of Job and Family services to submit an amendment to the state's plan for child welfare services to make federal Title IV-E payments for foster care available to persons up to age 21.

CONTENT AND OPERATION

Extension of foster care payments up to age 21

The bill requires the Director of Job and Family Services to submit an amendment to the state's plan for child welfare services to the United States Secretary of Health and Human Services in order to make federal Title IV-E foster care payments available to persons up to age 21 in accordance with federal law.¹

Background

Generally, foster care maintenance payments for a child terminate at age 18 because funding is unavailable after the end of the month of the child's 18th birthday. In Ohio, foster care funding is a combination of state and federal funds. In order to be eligible for the federal funds, Ohio must have a state plan in place that complies with the requirements and conditions of Title IV-E of the Social Security Act. One requirement is that any child under age 18 be eligible for foster care maintenance payments.²

¹ R.C. 5101.141 and 5101.1411.

² 42 U.S.C. 671, 672(a)(1)(B) and (a)(3), and 674; 45 C.F.R. 233.90(b); R.C. 5101.141; and O.A.C. 5101:2-47-12(E).

Federal Fostering Connections to Success and Increasing Adoptions Act

While eligibility until age 18 continues to be a requirement under federal law, Congress enacted the federal Fostering Connections to Success and Increasing Adoptions Act of 2008 (P.L. 110-351, 122 Stat. 3949) which gives states the option to extend foster care maintenance payment eligibility for a foster child who has not yet attained 19, 20, or 21 years of age and who is:

(1) Completing secondary education or a program leading to an equivalent credential;

(2) Enrolled in an institution which provides post-secondary or vocational education;

(3) Participating in a program or activity designed to promote, or remove barriers to, employment;

(4) Employed for at least 80 hours per month; or

(5) Incapable of doing any of the activities described in (1) to (4) above because of a medical condition, which incapability is supported by regularly updated information in the case plan of the child.³

HISTORY

ACTION	DATE
Introduced	01-30-14

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³ 42 U.S.C. 675(8).

