

**Choose life fund.**

(A) For purposes of this rule:

- (1) "Choose life fund" means the fund created in the state treasury pursuant to section 3701.65 of the Revised Code consisting of voluntary contributions deposited as provided in section 4503.81 of the Revised Code, investment earnings of the fund and monies returned to the fund pursuant to paragraph (F)(4) of this rule.
- (2) "Director" means the director of health or his designee.
- (3) "Eligible organization" means any organization that applies for funding and meets all of the requirements set forth in paragraph (B) of this rule.

(B) Organizations that wish to obtain funding from the choose life fund shall apply by June first for annual distribution of the funds using a form prescribed by the director. The form shall inform the organization of the conditions for receiving and using the funds. To be eligible, the organization must meet all of the following requirements:

- (1) Is a private, nonprofit organization;
- (2) Is committed to counseling pregnant women about the option of adoption;
- (3) Provides services within the state of Ohio to pregnant women who are planning to place their children for adoption, including counseling and meeting the material needs of the women;
- (4) Does not charge pregnant women for any services received;
- (5) Is not involved or associated with any abortion activities, including counseling for or referrals to abortion clinics, providing medical abortion-related procedures, or pro-abortion advertising;
- (6) Does not discriminate in its provision of any service on the basis of race, religion, color, marital status, national origin, handicap, gender, or age; and
- (7) If the organization received choose life funds during the previous year, the organization shall submit with the application an audited financial statement verifying its compliance with this rule regarding the use of funds distributed to the organization during the previous year.

(C) No later than August fifteenth of each year, the director shall distribute the money in the choose life fund in accordance with paragraph (E) of this rule to any organization that applies for funding and meets the requirements set forth in paragraph (B) of this rule.

(D) The director shall not distribute funds to an organization that fails to provide verifiable evidence of compliance with all of the requirements of paragraph (B) of this rule and shall not provide additional funds to any organization that fails to

comply with the requirements regarding the receipt and use of such funds as set forth in paragraph (F) or this rule.

- (E) The director shall distribute the funds based on the county in which the organization applying for funding is located and in proportion to the number of choose life fund license plates issued during the preceding year to vehicles registered in each county. The director shall distribute funds allocated for a county to one or more eligible organizations located in contiguous counties if no eligible organization located within the county applies for funding. To be eligible for funds in a contiguous county, the organization must demonstrate that it provides services for pregnant women residing in the contiguous county. Within each county, eligible organizations shall share equally in the funds available for distribution.
- (F) An eligible organization receiving funds from the choose life fund shall do all of the following:
- (1) Use not more than sixty per cent of the funds distributed to it for the material needs of pregnant women who are planning to place their children for adoption or for infants awaiting placement with adoptive parents, including clothing, housing, medical care, food, utilities, and transportation;
  - (2) Use not more than forty per cent of the funds distributed to it for counseling, training, or advertising;
  - (3) Not use any of the funds distributed to it for administrative expenses, legal expenses, or capital expenditures;
  - (4) Return to the department of health no later than July first any unused money that exceeds ten percent of the money distributed to the eligible organization during the previous year; and
  - (5) Submit to the director of health no later than June first an audited financial statement verifying its compliance with this rule regarding the use of funds distributed to the eligible organization the previous year. If the organization does not traditionally have an audited financial statement and to have one would create a hardship, the organization may submit replacement documentation chosen by the director of health.

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CERTIFIED ELECTRONICALLY

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Certification

08/29/2011

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Date

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