

2304.1 ADOPTION ASSISTANCE

A. Adoption Assistance Overview

1. When a child is determined special needs, meets all other eligibility requirements for adoption assistance, and signs the Adoption Assistance Agreement, the adoptive parent may then be eligible for maintenance monthly adoption assistance.
2. Payment of the maintenance adoption assistance may be paid for the entire first month, even if the agreement is signed at a date other than the first of the month, unless the adoptive parents received a foster care per diem for the child(ren) that month.
3. For foster parent/adoptive placements, the signing of the Adoption Placement Agreement will be coordinated with the approval of the Adoption Placement Agreement, usually at the beginning of a month to ensure continuity of payment for the child.
4. Payments cannot be made simultaneously from Foster Care and Adoptive program areas.
5. In some cases the first month's maintenance adoption placement will be prorated, thus the parent would receive foster care per diem prior to the finalization of the adoption assistance for the date signed forward to the end of the month.
6. To determine the amount of Adoption Assistance to be paid for the month, subtract the amount of foster care paid for the month from the monthly assistance amount.
7. The maximum amount of Maintenance Adoption Assistance benefits an adoptive parent receives may never exceed the per-diem rate the child was receiving in FAMILY foster care at the time of the signing of the Adoptive Placement Agreement Form 33/37

NOTE: (Exception: Children who receive the base foster care per diem rate plus the director waived per diem of up to \$1.75 will receive increases at the same age levels that foster care increases.)

8. The Maintenance Adoption Assistance may be the same as the Level of Care received by the child; however, if the child's monthly adoption rate is based on a Level of Care, the child does not receive increase in rates due to age.
9. The County Director/Designee must concur with the negotiated amount and approve the amount of the adoption assistance prior to first payment.
10. Accounting should receive Form 402 or Form 403 prior to payment adoptive services. See attached Exhibit 1, Form 402 and Exhibit 2, Form 403.
11. If the adoption assistance rate is based in Level of Care, accounting should require a Level of Care Approval Letter.
12. Accounting should also request a copy of the Memo from Office of Adoptions indicating the child meets special needs requirements.

B. Types of monthly adoption supplements are:

1. Program 508 – Maintenance Monthly Adoption Assistance – State children and child is over 18
2. Program 509-IVE Children under age of 18

2304.2.1 Non-recurring Adoption Assistance – Program 510

- A. Each eligible child may receive reimbursement for expenses related to the finalization of his or her adoption.
- B. Reimbursement may not exceed \$2000 per child.
- C. These regulations read that the adoptive parent must first pay the allowable expenses, and then be reimbursed by proving proof of the paid service; however, Regulation 109.22 states the county may pay either the provider or the parent directly.
- D. Reimbursement will be made only after the adoption is finalized.
- E. Non-recurring adoption expenses are considered by federal regulation as “reasonable and necessary adoption fees, court costs, attorney fees and other expenses directly related to the legal adoption of a child with special needs and which are not incurred in violation of state or federal laws.”
- F. Non-recurring adoption expenses may include, but are not limited to:
 - 1. Travel/Lodging costs during pre-placement visitation based on current state rates. Receipts/documentation must accompany the request.
 - 2. The cost of physicals for the adoptive parents required for the adoption assessment.
 - 3. The cost which the family has paid to a private agency to have a family assessment completed.

2304.3 Special Services Adoption Assistance - Program 512

- A. Examples of special services adoption assistance may include, but are not limited to: special medical equipment, psychiatric/psychological testing and therapy, special educational equipment, orthodontic services or respite care.
- B. A child may concurrently receive compensation for more than one special service adoption assistance at a time.
- C. Private schooling is not payable from these funds.
- D. Special Services funds are available only until a child reaches age 18.
- E. Supplemental Supervision (Day care services) – Entitlement Code 17-are only available until the child reaches age 13.
- F. Respite services – Entitlement Code 60-are available when a parent needs short term reprieve from the demands of caring for a special needs child.
- G. Prior to adoption finalization, the respite provider must meet the same requirements as supplemental supervision providers.
- H. Respite may be approved for up to 20 hours per month per family. Any hours not used one month may be carried over to the next. In an emergency, funds may be borrowed from a future month of certification.
- I. Once approved, respite services shall be provided for a twelve month period, not to exceed the approval amount.
- J. The established respite rate is \$6 per hour for the first child. Additional children needed respite may be eligible for a rate of \$2 per hour per child.
- K. Tutoring services are available through a private contract on a statewide basis. If a family resides in another state, application may be made utilizing Form 24. Limits for out of state children are up to \$1500 for the first year, up to \$1000 for the second year, and \$500 approved the third and final year.
- L. Computers may only be purchased for children who have a disability that prevents them from communicating or completing their educational assignments without this tool. A maximum of \$1000 is allowable for the purchase of a computer.

- M. Accounting should receive a completed Form 24, Special Services Adoption Assistance Application indicating approval by the County Director/Designee and an official of the State Office of Adoptions prior to paying any Special Service Adoption Payments.
- N. Special Services funds may be paid directly to the provider or as a reimbursement to the family. No prepayments or advances can be made to the family for the funds.
- O. Adoptive Placement Reimbursement, Contracted Services – Entitlement Code 57-can reimburse a private agency or child placing agency in the amount of up to \$5000 per child per placement for the purchase of service.
- P. Conversion of a NON-DFCS Foster Home through a private or child placing agency – Entitlement Code 77-a purchase of service payment in the amount of \$3000 per home may be made to a licensed, private adoption agency for the conversion of one of its foster homes to an approved adoptive home for a specific DHR child with special needs who is currently boarded in that home as a foster child.

2304.4 MISCELLANEOUS INFORMATION

A. PAYMENT OF LIFE HISTORIES

1. When a county is unable to complete a Life History on a child within the required time frame, the county may contact the Office of Adoptions to determine if funds are available to have the services contracted out to the statewide vendor.
2. Currently as of August 2004, the Life Histories are contracted out of State Adoption Office only. The county should not be paying locally for cost of Life Histories.

B. DFCS FOSTER CARE HOME CONVERSION:

1. Also, when funds are available and the county is unable to complete a foster home conversion of a DFCS foster home within the required time frame, the county may request funds to have an individual or licensed private agency to complete the conversion for a fee of \$300.
2. The funds must be requested from the State Office of Adoptions.

C. MEDICAID

1. Any child who is a recipient of Adoption Assistance is eligible to receive Medicaid benefits unless ineligible for Medicaid due to income or citizenship status.
2. Any child determined ineligible for Medicaid, the state must have a plan in place for the provision of medical care.
3. Therefore, any requests for medical bill payments through adoption funding should have documentation of Medicaid or insurance denial.

D. ADOPTION ASSISTANCE MODULE

1. For the adoption assistance module to calculate correctly, Adoption Assistance cannot be prepaid. It must be paid in the month that it is due.
2. Payments are authorized at the beginning of the month for use during that same month.

E. CHILD OVER AGE 18

1. If the child remains in school and continues to be eligible after the age of 18 for Maintenance Adoption Assistance, the assistance will be paid out of Program 508 – Adoption Assistance for State Children.
2. The parent must verify school attendance each quarter/semester. Benefits end when ever school is finished; the child is no longer in school, or the child reaches age 21, whichever comes first.
3. Children age 18 or older are only eligible for Monthly Maintenance Adoption Assistance, Medicaid, and in a rare case Non-recurring Adoption Assistance.
4. The children are no longer eligible for Special Services Adoption Assistance including respite and orthodontics after the month they turn 18 years of age.

F. CHILD RESTRICTED FUNDS

1. Following adoption finalization, any remaining funds in the child's restricted DFCS account shall be provided to the adoptive parent, per Foster Care Manual Section 1016.33.
2. The circumstances of a child who has a trust fund or inheritance will be evaluated on an individual basis, by the County Director/Designee, taking into consideration the availability of funds.
3. Refer to DFCS Administrative Policy and Procedures Manual Special Restrictive Funds for Zebley Trust for a child who has Zebley Funds in a trust account.

G. ADOPTIVE CHILD REENTERS FOSTER CARE

1. If a child reenters foster care on a temporary basis, the family may continue to receive Adoption Assistance Payments if the family remains financially responsible for the child.
2. If the family is no longer legally or financially responsible for the child, Adoption Assistance is terminated.