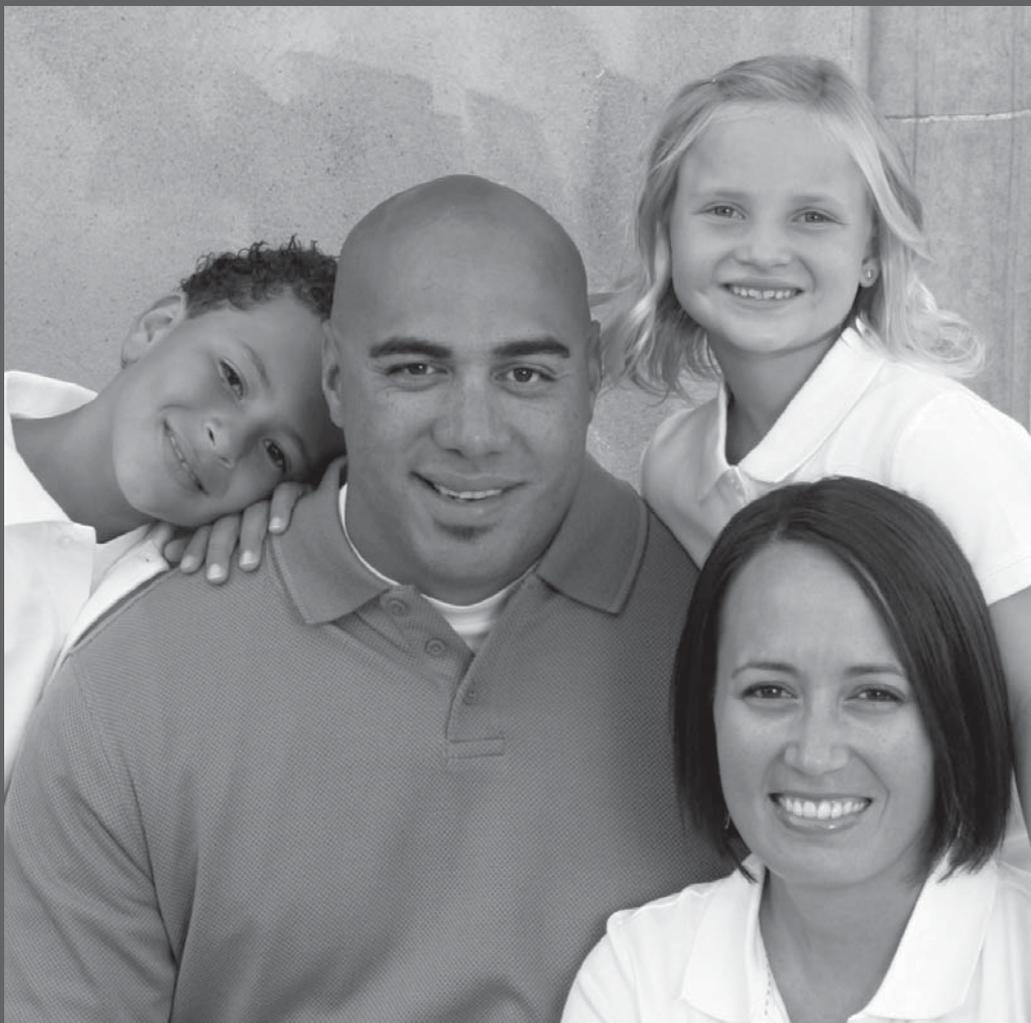


OREGON ADOPTION ASSISTANCE

HANDBOOK



For questions about the adoption assistance process or program, please call your adoption assistance coordinator at 503-947-1134.

For questions about Social Security, please call: 1-800-772-1213.

For questions about DMAP medical care and benefits, please call: 1-800-273-0557 or 503-945-6801.

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OREGON ADOPTION ASSISTANCE

HANDBOOK

Program overview

Many children with special needs wait for families to offer them a permanent home. Foster care is designed to be a temporary solution for a child's home life. Adoption is intended to help children who have been permanently and legally separated from their birth parents become permanent members of a new family. Studies show that children adopted from foster care have far better educational and social outcomes than those who remain in foster care. Adoptive families provide love and emotional security for their children, the stability of a committed family who will be there for them throughout childhood and into adulthood, a place to call home and financial support. Often the safety and stability of an adoptive family can provide children with the healing environment and loving ties that can change their lives. Adoptive parents continue to provide support for their children as they transition into adulthood — support that is not likely to be available for youth who do not leave foster care for permanent families.

The government provides subsidies to encourage families to adopt children with special needs who might not otherwise be able to have a permanent family. Adoption assistance is a federal- and state-funded program that may include medical assistance, reimbursement for costs incurred to legally finalize the adoption and/or financial assistance paid on behalf of an eligible child to an adoptive parent. It is not a reimbursement for the child's special needs but rather added support to help adoptive families meet their children's needs.

While parenting a child with special needs can sometimes be a challenge, it also can be a rewarding experience for both the adoptive parent and the child. Special needs adoption is about helping children. It's not about finding a child for every waiting family, but instead finding a suitable family for each waiting child.

“Clearly, [name of foster family] never understood how important adoption was to me. They loved us. They wanted to keep us. They felt that was enough. I believe that their position was based on the notion — shared by many people involved in foster care — that adoption is pretty much an empty ritual, a bureaucratic step up from foster care with no deep meaning in and of itself. For me, nothing could have been further from the truth.”

- Charlotte Lopez, Miss Teen USA 1993, who experienced seven foster care placements before being adopted at age 17

About the Adoption Assistance Program

Adoption Assistance is not a continuation of the Foster Care program

Foster parents	Adoptive parents
<ul style="list-style-type: none"> • Provide transitional care on behalf of the state for a child in the care and custody of DHS; • Receive a maintenance payment that reimburses for their time, as well as expenses, in meeting the ordinary and special needs of a child; • Additional funds (personal care and enhanced supervision) can also be paid to foster parents if a child qualifies after appropriate assessments have been completed. 	<ul style="list-style-type: none"> • Take care of their child without DHS oversight; • Legally, emotionally and financially incorporate their child as a permanent member of the family; • Perform normal parenting functions including activities such as laundry, supervision, nurturing and taking their child to the doctor; • May receive a financial subsidy to help with current out-of-pocket expenses they incur in meeting the ordinary and special needs of their child.

The purpose of the Adoption Assistance Program is to help incorporate former foster children into their adoptive families by providing a subsidy to families that may need additional financial support in order to meet the needs of their child. Adoption assistance is to be used in conjunction with the family's own income and resources. Services provided by Medicaid coverage, private insurance, public education and all community resources can not be duplicated in the adoption assistance subsidy.

“Once adopted, said child shall be, to all legal intents and purposes, as if born to the Petitioners in lawful wedlock.”

~ From adoption decree



Factors to consider when requesting adoption assistance benefits:

- The ordinary and special needs of the child.
- The items or services parents are currently providing to meet the needs of their child and the cost to provide each item. Examples include extracurricular activities that are intended to address the child's special needs by building social skills, motor skills or enhancing self-esteem; adaptive equipment recommended by treatment providers for children with particular needs (weighted vests, orthopedic shoes, special foods or utensils).
- The amount of financial support parents are able to provide for their child.
- The amount of financial support parents are requesting from the Adoption Assistance Program.
- Adoption assistance benefits must be negotiated and agreed upon before the adoption finalizes.
- Federal law mandates that adoption assistance cannot exceed the amount a child is receiving or would receive in foster care.
- AA cannot assist with income replacement, respite, day care, orthodontia, payment for services considered to be the primary responsibility of another source such as educational services, supplemental medical and therapeutic services not covered by the medical card or parental time for supervision or behavior management of the child.
- The Adoption Assistance Program is not intended to reimburse parents for being parents. Rather financial assistance focuses on helping families provide for the needs of the child that the family would have difficulty providing without financial assistance. It is not intended to fully cover the cost of raising a child.
- "CANS screening" means Child and Adolescent Needs and Strengths screening, a process of integrating information on a child's needs and strengths for the purposes of case planning, service planning and determining the supervision needs of the child while in foster care. The Department of Human Services reimburses a foster parent or relative caregiver on behalf of an eligible child when the CANS screening results indicate the child qualifies for a level-of-care payment. If a child qualifies for level-of-care payment through a CANS assessment, that amount can be added to the negotiated adoption assistance amount if requested by the parents. For example, if an adoption assistance rate of \$350 was negotiated for a child and the child also qualified for a Level 2 CANS rate, then \$414 will be added to the \$350 for a total monthly payment of \$764.
- There are no automatic or annual increases in the Adoption Assistance Program such as cost of living increases.
- Adoption assistance is legislatively mandated to end on the child's 18th birthday. The program can make no exceptions to this law.

Early review

An early review should occur before the current caretaker staffing or selection committee if:

- The family is hesitant or ambivalent about adoption; or
- Family finances are an obstacle to adoption.

If the child or family circumstances change between the time of the early review and the submission of the Adoption Assistance Application, the new information will be considered and the initial payment amount offered may be adjusted, if appropriate.

Out-of-state adoptions

- Adoption assistance programs vary from state to state. Potential adoptive families from other states must make sure their adoption worker fully explains the Oregon Adoption Assistance Program as negotiations will be based on Oregon's policies.
- Adoption assistance will be negotiated using Oregon's basic foster care rates.
- If a family moves from Oregon to another state, Oregon will continue to provide financial assistance for the child, though medical is most often provided by the state of residence.
- Most states will provide their medical card for children who are not Title IV-E-eligible. If not, the child can receive an Oregon medical card. The adoptive family will need to find medical providers willing to accept the Oregon card.
- Adoption Assistance and the Interstate Compact for the Placement of Children (ICPC) work together to reimburse nonrecurring expenses (such as travel expenses) to an out-of-state adoptive family.

Eligibility

A child in the custody of the Department of Human Services, a tribe with a Title IV-E agreement or a licensed adoption agency in Oregon is eligible for adoption assistance when all the following are met:

1. The state court of competent jurisdiction has determined that the child cannot or should not be returned to the home of his or her parents.
2. The child has special needs, meaning the child has at least one of the following factors or conditions that make adoption placement difficult to achieve:
 - Age of 8 years or older;
 - Member of an ethnic, racial or cultural minority (e.g., African-American, Hispanic, Asian, Native American Indian, Pacific Islander);
 - A documented history of medical, physical, mental or other clinically diagnosed disability or a documented abuse or neglect or other identified predisposing factor that places the child at risk for future problems that need treatment;
 - A member of a sibling group that will be placed together and is difficult to place (three or more children; if two children, one must be 6 years of age or older).
3. Reasonable but unsuccessful effort to place the child with an appropriate adoptive family for adoption without assistance has been made, unless effort is not in the best interests of the child.

Funding

Once a child meets the criteria for adoption assistance, a Federal Title IV-E specialist will determine IV-E eligibility.

A child is automatically eligible for Title IV-E if he or she is recipient of Supplemental Security Income (SSI) from the Social Security Administration.

Medical coverage for a Title IV-E child is provided by the medical assistance program in the state where the child resides.

Medical coverage for a child who is not eligible for Title IV-E is provided by Division of Medical Assistance Programs under the rules of the Oregon Health Plan. If a child is placed in another state, or the family moves from Oregon to another state, the child may continue to receive medical coverage from Oregon, except in those cases where the other state will provide Medicaid coverage.

Types of adoption assistance benefits

Agreement only – Assurance of help if needed in the future.

Medical only – Medical coverage through the Oregon Medical Assistance Program or the child's state of residence. It may be possible to use the medical card as a supplement to private insurance.

Payment only – Negotiated monthly cash subsidy plus established level-of-care payment with no medical coverage provided.

Cash and medical – Negotiated monthly cash subsidy plus established level-of-care payment with Oregon Medical Assistance Program medical coverage.

Non-recurring expense payment – One-time payment for costs incurred in legally finalizing the adoption.

Nonrecurring costs are those expenses directly related to legally finalizing the adoption, such as legal fees, court costs, pre-placement visits, required adoption physical exams. Items that are not covered include things such as bedroom furniture, clothing, house remodeling or a larger car. A maximum of \$1,500 per child is allowed, out of which the legal fees must be paid. Receipts for costs must be received and a signed agreement in place before the adoption is finalized. The expenses will be reimbursed after the adoption has finalized.

Oregon has a vendor attorney program in which attorneys have agreed to handle the legal aspects of the adoption of children in the care and custody of DHS. Families are encouraged to use the vendor attorney program to finalize the adoption. Families outside of Oregon can also use an Oregon vendor attorney and the entire adoption is processed through the mail.

Families who choose not to use the vendor attorney program may use any attorney of their choosing. Payment for non-vendor attorneys will be provided up to the amount that is paid to vendor attorneys.

Adoption assistance application procedure

The worker:

- Meets with the family;
- Explains adoption assistance procedures using the handbook and the Family Application (969B);
- Helps the family fill out CF969B, Adoption Assistance Application, Family Information:
 - » Considers child's needs;
 - » Develops a list of the family's current out-of-pocket expenses;
 - » Assesses the family and community resources;
 - » Discusses Adoption Assistance Program limitations;
 - » Helps the family decide how much financial assistance they will provide and how much assistance they will request from the state.
- The worker completes the CF969A, Adoption Assistance Application, Child's Application. This form must be signed by both the worker and the supervisor.
- Branch worker attaches documentation describing child's current special needs. Examples include but are not limited to:
 - » CANS Assessment (this is required if the child has had an assessment completed);
 - » Recent (less than two-year-old) psychological evaluations, mental health assessments, IEPs.

DHS: Completed Adoption Assistance packet is sent to the IV-E eligibility worker who determines IV-E eligibility, completes the 969C, Adoption Assistance Application, Title IV-E Adoption Assistance Determination and forwards the packet to the Central Office Adoptions Unit.

Private agency (*for children not in the care and custody of DHS*):

- Forward completed packet to Central Office where Title IV-E eligibility will be determined.

Central Office Adoption Assistance staff:

- Reviews packet for completeness and accepts or denies application;
- Reviews documentation of special needs;
- Gathers other pertinent information about the child from the family, worker, case notes, etc.

Adoption Assistance coordinator:

- Discusses with family the Adoption Assistance Program and current out-of-pocket expenses;
- Negotiates monthly adoption assistance benefits;
- Sends agreements to the family.

Family:

- Signs all agreements;
- Sends the Vendor Attorney agreements directly to their vendor attorney of choice (only for children in the care and custody of DHS);
- Returns all other agreements (adoption assistance, non-vendor attorney and nonrecurring expense agreements) to Salem Central Office.

Adoption Assistance coordinator:

- Signs agreements

The family will receive a copy of the signed Adoption Assistance Agreement when adoption assistance begins.

Negotiating adoption assistance

Parents may be worried about the negotiation process, seeing it as a barter situation. In fact, there are federal, state and program requirements that restrict and define the Adoption Assistance Program. Within those guidelines, the AA coordinator works with each family to help offset its out-of-pocket expenses incurred to incorporate the special needs child into the family.

Negotiate:

“to bring about by mutual agreement”

Deciding

Caseworker discusses adoption assistance with the adoptive family.

Worker assists the family to:

- Assess the needs of their child;
- Evaluate services that can be covered by other community resources (Oregon Health Plan or local service providers);
- Review the family’s circumstances;
- Decide type and amount of benefits the family will request from the Adoption Assistance Program.

Agreeing

Adoption Assistance coordinator:

- Reviews program policies and program parameters with the family;
- Discusses the ordinary and special needs of the child with the family;
- Discusses and considers the family’s current monthly financial expenditures (out-of-pocket expenses) for identified services/items to meet the special needs of the child;
- Comes to an agreement with the family on how much assistance DHS will provide for out-of-pocket expenses identified by the family.

Appeal process

If, during negotiations of adoption assistance benefits, the Adoption Assistance coordinator and the family are unable to reach agreement, the matter may be referred to the Adoption Assistance Review Committee for review at the request of either the Adoption Assistance coordinator or the family.

If the family is dissatisfied with the adoption assistance offer made by the Adoption Assistance Review Committee, the family may request a review by writing to the DHS Central Office Adoption Program Manager.

If the family is dissatisfied with the decision of the Adoption Program manager, they are entitled to a contested case hearing before an administrative law judge.

Guide to Completing the Adoption Assistance/Guardianship Assistance Family Application (CF 0969B)

It is recommended that the caseworker or adoption worker sit down with the family, if possible, and assist them in completing the CF 0969B. Please contact the adoption assistance or guardianship assistance coordinator for the family if there are any questions about the application form. The following information is a guide for the worker to use when assisting the family. The information in the following numbered categories corresponds to the numbered questions on the application.

1 What are the special needs of the child for whom you are requesting financial assistance?

Along with the diagnoses, please describe those needs and provide documentation.

2 Financial resources

- a) This information is needed as the adoption assistance and guardianship assistance programs are expected to take into consideration the family's circumstances and ability to integrate the child into the home as well as the child's needs.
- b) Number of people supported by that income, this number *does not* include foster children.
- c) Total number of people in the home, this number *does* include foster children.
- d) Additional financial resources available to members of the household. Examples: foster care payments, assisted guardianship payments, child support, etc. List the amount of each financial source.
- e) Does anyone in the family have unusual costs such as medical or education? This question is not meant to include the child being adopted or any foster children in the home. Examples: a child or parent in college, medical issues that prevent the parent from working, medical equipment or prescriptions not covered by insurance, etc.
- f) Other resources available to meet this child's needs: The adoptive family may or may not have this information. It should be researched and completed by the caseworker or adoption worker. Example: Social Security benefits from a biological parent.
- g) Other resources available to meet this child's needs based upon adoption or guardianship by you. Please check all applicable boxes and provide the amount of the benefit. Examples: Social Security or veterans benefits.

3 Financial assistance request

This is the most important section of the application in helping to determine the amount of adoption or guardianship assistance to request. Attach additional pages to the application if needed.

- a) **Can you adopt this child without adoption assistance or meet the needs of the child for whom you will be the guardian?** If the family is able to meet this child's needs without assistance, then choosing "agreement only" insures that the family can request assistance at a later date, if needed.
- b) **Is there a need for a payment at this time?** This question must be answered for both adoption and guardianship applications.

- c) **Whose name should be on the check?** This question must be answered for both adoption and guardianship applications. At this time only one name appears on the monthly check. Implementation of OR-Kids in the future will allow additional names to be printed.
- d) **Please list specific dollar amounts for every expense listed in this section.** These must be out-of-pocket expenses related to meeting the child's needs.

Examples include, but are not limited to:

Extracurricular activities that are intended to address the child's special needs by building social skills, motor skills, self-esteem such as swimming lessons, martial arts, dancing, etc. Include the cost of each activity and how often the child participates in the activity. Examples: soccer, 2 seasons per year at \$55.00/season; Tae Kwan Do, 9 months per year at \$80.00/month; summer camp, 1 camp per summer at \$240.00 divided by 12 months = \$20.00/month.

Adaptive equipment. Examples: weighted vests for children with sensory integration issues, special foods or utensils, orthopedic shoes, etc. Include information about costs and how often the purchase must be made. Example: orthotics, 3 times per year at \$150.00 each time = \$450.00 divided by 12 months = \$37.50/month.

Per Federal Law, the amount of adoption or guardianship assistance requested cannot exceed the amount the child would receive while in a foster care placement that may include a level of care payment from a CANS assessment. Personal care rates in foster care cannot be paid to a legal parent or guardianship and are therefore not included in the adoption and guardianship payments.

Before talking with adoptive parents or guardians about the amount of assistance being requested, it is important that they understand the intent and purpose of assistance payments and how they differ from foster care payments.

Foster parents receive reimbursement for their time in meeting the ordinary and special needs of a child as the caretakers of the child on behalf of the state. This includes activities such as taking a child to the doctor, monitoring medications, supervising and managing the child's behavior, providing transportation and nighttime monitoring.

Adoptive and biological parents, as well as guardians, do all of the above activities and more as part of standard parenting duties. Financial assistance is not intended to reimburse parents for being parents. Rather financial assistance focuses on helping families provide for the needs of the child that the family would have difficulty providing without financial assistance.

The family needs to understand that adoption and guardianship assistance are not intended to fully cover the cost of raising the child.

The amount of assistance being requested should be based on the child's *current* needs. If there are changes in the family circumstances or child's needs in the future, the parents or guardians can make a request to renegotiate the assistance amount at that point in time.

- 4 Medical card coverage:** If the family wants to add the child to their private insurance, the Medical Card will become a secondary insurance and *may* help with expenses like co-payments if the provider accepts both the private insurance and the medical card. If the family does not know what conditions the child has that will not be covered by their policy, the line can be left blank. If the name of the child's current health plan is unknown, the line can be left blank.

- 5 **Legal fees:** *Adoption assistance* will pay the legal fees to finalize the child's adoption in the amount of the contracted vendor attorney agreement. If the family chooses to use a non-vendor attorney, adoption assistance can only pay the vendor attorney rate. *For current rate information, ask the adoption assistance coordinator.* Legal fees are paid upon adoption finalization.

Guardianship assistance legal fees, if any, are paid by the branch per Policy I-E.5.5 (*Payments for providing direct client legal services*). No information regarding guardianship assistance legal fees is required on this application.

- 6 **Non-recurring expenses:** Allowable expenses are outlined on the CF 0254 form. If you are unsure about an expense, contact the adoption or guardianship assistance coordinator assigned to the family.

Per federal regulations, the maximum reimbursement allowable for adoption is \$1,500 (*per child*) which includes the legal fees for adoption finalization and \$2,000 for subsidized guardianships.

For out-of-state adoption placement, the Interstate Compact on the Placement of Children (ICPC) funds must be used prior to claiming non-recurring adoption expense. The adoption assistance and guardianship assistance program works with ICPC to make sure that expenses are not duplicated. Reimbursement for non-recurring expenses is provided after the adoption finalizes.

- 7 **Signatures:** The form must be signed and dated on all indicated lines or the application will be returned to the worker.

This document can be provided upon request in alternative formats for individuals with disabilities. Other formats may include (*but are not limited to*) large print, Braille, audio recordings, Web-based communications and other electronic formats. E-mail dhs.forms@state.or.us, call 503-945-5728 (voice) or 503-945-5896 (TTY), or fax 503-945-6633 to arrange for the alternative format that will work best for you

SECTION B: To be completed by family with agency worker assistance

Family structure: Married couple Single parent Unmarried couple

	Applicant:	Co-applicant:
Legal name – <i>(please print):</i>	(last, first, MI)	(last, first, MI)
Sex:	<input type="checkbox"/> Male <input type="checkbox"/> Female	<input type="checkbox"/> Male <input type="checkbox"/> Female
Date of birth:		
SSN number:		
U.S. citizen:	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
DHS employee:	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Racial/ethnicity <i>(check all that apply):</i>	<input type="checkbox"/> Asian <input type="checkbox"/> White <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Black or African American <input type="checkbox"/> Native Hawaiian or other Pacific Islander	<input type="checkbox"/> Asian <input type="checkbox"/> White <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Black or African American <input type="checkbox"/> Native Hawaiian or other Pacific Islander
Cultural origin:	<input type="checkbox"/> Hispanic <input type="checkbox"/> Other than Hispanic	<input type="checkbox"/> Hispanic <input type="checkbox"/> Other than Hispanic
Relative of child:	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
	If yes, relationship:	If yes, relationship:
Home phone:		
Work phone:		
Cell phone:		
E-mail address:		
Home address:	_____ County: _____	
Mailing address:	_____	

1 What are the special needs of the child for whom you are requesting assistance?

2 Financial resources

Resources:	Applicant:	Co-applicant:
Occupation:		
(a) Gross monthly income:		
(b) Number of people supported by that income: _____	(c) Total number of people in the home: _____	
(d) Additional financial resources amounts available to members of the household: _____		

another resource such as educational services, supplemental medical and therapeutic services not covered by the medical card, or parental or guardian time for supervision or behavior management of the child.

4 Medical card coverage

Is there a need for a medical card at this time? Yes No
 Is the child currently enrolled in another state's health plan? Yes No ID number: _____
 Is the child currently enrolled in the Oregon Health Plan? Yes No

If yes, name of the health plan: _____

Will the child named in this application be added to your medical insurance policy? Yes No

If yes, please provide the following information: _____

Effective date of child's coverage: _____

Name of insurance company: _____

Address: _____

Name of policy holder: _____ Social Security number: _____

Group/plan number: _____ Policy ID number: _____

Type of benefits (*check one*): Major medical Health maintenance CHAMPUS
 CHAMPVA None Other: _____

What conditions does the child named on this application presently have that WILL NOT be covered by this policy? _____

5 Legal fees to finalize the adoption:

I/we intend to use a vendor attorney: Yes No

I/we intend to use a non-vendor attorney: Yes No

6 Non-recurring expenses: Yes – CF 254 and applicable receipts attached. No

We/I hereby apply for adoption guardianship assistance for the care of _____ from the State of Oregon, Department of Human Services, Children Adults and Families. We/I understand that if agreement cannot be reached with DHS on the amount or type of benefits, we/I have the right to request a contested case hearing when all other efforts to reach agreement have been exhausted and within 30 days of written notification of this right.

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<i>(Signature of applicant)</i>	<i>(Date)</i>	<i>(Signature of co-applicant)</i>	<i>(Date)</i>
<i>(Name of applicant — please print)</i>		<i>(Name of co-applicant — please print)</i>	

Submitted by:	Approved by:
<i>(Signature of agency worker)</i>	<i>(Signature of supervisor)</i>
<i>(Date)</i>	<i>(Date)</i>
<i>(Name of agency worker — please print)</i>	<i>(Name of supervisor — please print)</i>
Worker phone:	Supervisor phone:
DHS branch:	

Opening adoption assistance

By federal law, adoption assistance must be opened prior to finalization of the adoption or the child is no longer eligible for the program.

Adoption assistance payments begin when all of the following criteria are met:

- The child is legally free for adoption;
- The Department of Human Services or licensed adoption agency has designated the pre-adoptive family as the designated adoptive placement;
- An Adoption Assistance Agreement has been signed by the pre-adoptive family and by the Adoption Assistance coordinator.

Payment cannot be made before the date of the signed application.

Adoption assistance must start before the adoption is finalized. DHS wants to assure that no child is disqualified from the program by waiting to open the case.

After adoption assistance is open

1. Once the agreement is in place, the family chooses how to best use benefits to meet the child's needs. The family will not be asked to report how the adoption assistance subsidy was used. However, families may decide at any time that they no longer need certain benefits or the same amount of assistance.
2. The Fostering Connections to Success and Increasing Adoptions Act requires states to provide assurances that every school-age child eligible for an adoption assistance subsidy is enrolled as a full-time elementary or secondary school student or has completed secondary school. This means that the child is:
 - (A) Enrolled (or in the process of enrolling) in an institution that provides elementary or secondary education, as determined under the law of the state or other jurisdiction in which the institution is located; or
 - (B) Instructed in elementary or secondary education at home in accordance with a home school law of the state or other jurisdiction in which the home is located; or
 - (C) In an independent study elementary or secondary education program in accordance with the law of the state or other jurisdiction in which the program is located, which is administered by the local school or school district; or

- (D) Incapable of attending school on a full-time basis due to the medical condition of the child, whose incapability is supported by regularly updated information in the case plan of the child.
3. **Renegotiation:** If there is a change in the child's needs or a change in the family circumstances, Request to Renegotiate paperwork can be obtained by contacting the Adoption Assistance Program or your Adoption Assistance coordinator.
 4. **Out-of-home placements:** The purpose of ongoing adoption assistance payments is to assist with out-of-pocket expenses related to the child's needs while in the adoptive family's home. **When families sign their adoption assistance agreements, they agree to notify the Adoption Assistance staff immediately if their child no longer resides with them.** Monthly assistance may be suspended, reduced or continued while the child is out of the home.
 5. **Substitute care and residential treatment:** Parents should notify their Adoption Assistance coordinator when their adopted child is placed in substitute care. A child's adoption assistance may be renegotiated if the family continues to be involved in the child's treatment and if the plan is for their child to return to the family home.
 6. **Child support:** In certain circumstances, the Adoption Assistance Program may exempt adoptive parents from the requirement of paying child support while their child is in substitute care or residential treatment.

Finalizing the adoption

Adoption assistance must be in place prior to finalizing an adoption. Delays in beginning adoption assistance may occur for a variety of reasons:

- Not signing and/or returning agreements;
- Inability to reach an agreement in the amount of the adoption assistance subsidy;
- Agency delays in designating the adoptive placement due to missing documentation;
- Adoptive family's decision to delay submitting the agreements;
- The child receiving other benefits (SSI, DD, etc) that must be coordinated with another program to avoid incorrect payments;
- The child not being legally free for adoption.

(A child must be placed in a designated placement, must be legally free and the adoption assistance agreements must be signed before adoption assistance can be started.)

Terminating adoption assistance

Benefits continue until:

- A child reaches 18 years old (no exceptions); or
- The family requests termination of the agreement; or
- The death of the adoptive parents or the adoptive child (adoption assistance benefits are not transferable to a care taking family after a parental death but a subsequent adoption of the child will qualify for adoption assistance); or
- The state determines that the adoptive parents are no longer legally responsible for support of the child or...
- The state determines that the adoptive parents are no longer providing any support to the child. A parent is considered no longer legally responsible for support of the child when parental rights have been terminated or when the child becomes an emancipated minor, marries, or enlists in the military. "Any support" includes various forms of financial support. The state may determine that payments for family therapy, tuition, clothing, maintenance of special equipment in the home or services for the child's special needs are acceptable forms of financial support. For that reason, the state may continue the adoption assistance subsidy if it determines that the parent is, in fact, providing some form of financial support to the child.



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