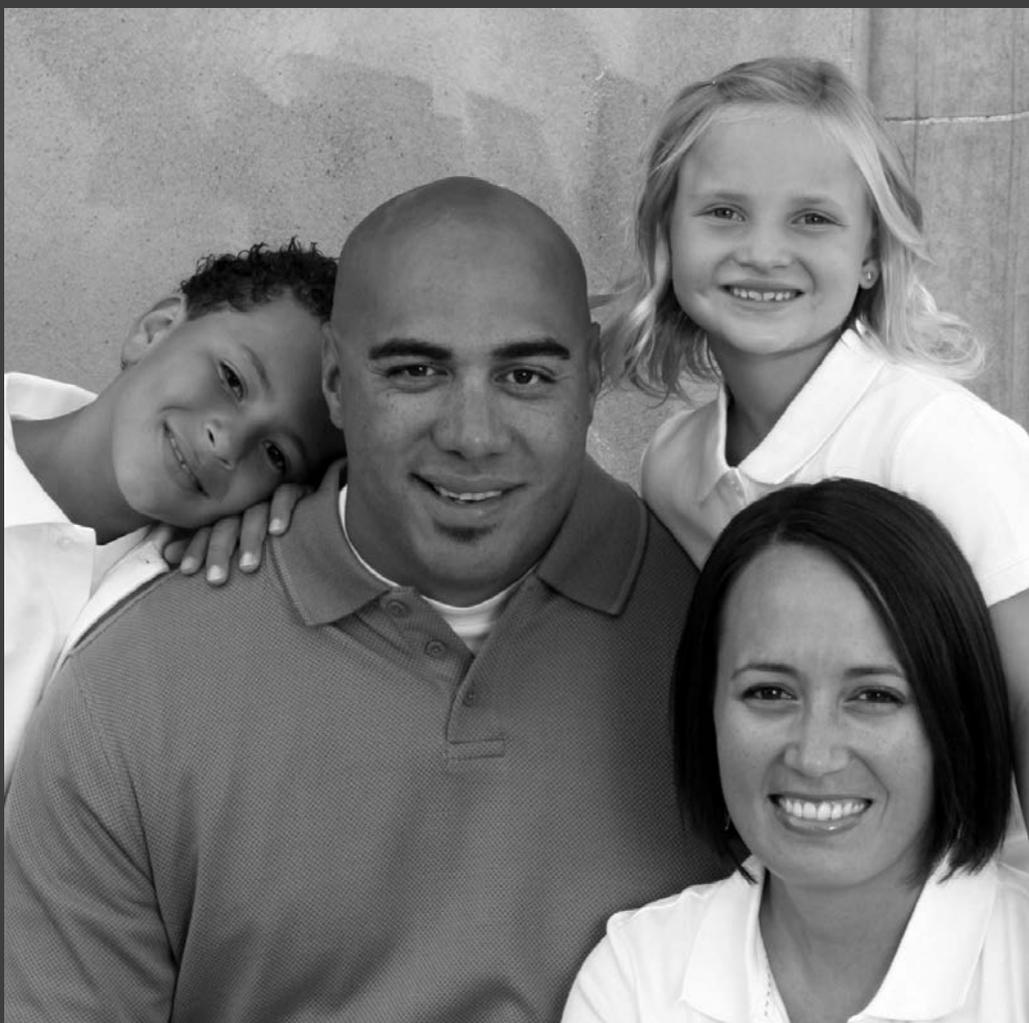


OREGON ADOPTION ASSISTANCE

HANDBOOK



For questions about the adoption assistance process, please call the Adoption Assistance Program at 503-947-1134.

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

For questions about medical coverage provided by Oregon, 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. The safety and stability of an adoptive family can often provide children with the healing environment and loving ties that 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 an adoptive family meet the child'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. Adoption is clearly important to children, such as Charlotte Lopez, who waited for a permanent home for many years:

“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 the Department of Human Services (DHS); • Receive a maintenance payment that reimburses them for their time and expenses in meeting the ordinary and special needs of a child; and • May receive additional funds (personal care and enhanced supervision) 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; and • 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 Adoption Assistance Program's purpose is to help incorporate former foster children into their adoptive families by providing a subsidy and medical coverage on behalf the children to help families that may need additional financial support to meet the needs of their children. Adoption assistance is used in conjunction with the family's own income and resources. Services provided by Medicaid coverage, private insurance, public education and all community resources cannot be duplicated in the adoption assistance subsidy.

"It is hereby ordered, adjudged and decreed that (child) shall to all legal intents and purposes be the child of (the petitioners) as if born to them."

~ From adoption decree



Factors to consider when requesting adoption assistance benefits:

- What are the ordinary and special needs of the child?
- What items or services are the parents currently providing to meet the needs of their child and what is 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).
- How much financial support are the parents able to provide for their child?
- How much financial support are the parents 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.
- Certain expenses cannot be considered when negotiating the adoption assistance subsidy. Examples of items that cannot be considered include 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. DHS 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.

- The Adoption Assistance Agreement automatically expires when the child reaches the age of 18. A new agreement extending adoption assistance past age 18 is only possible for children adopted on or after age 16, or children with a disability who are eligible for developmental disability services or Social Security income at the time they are turning age 18. The extension is only possible under these circumstances and ends on or before the young adult's 21st birthday.

Eligibility

A child in the custody of DHS, 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. In order to be eligible for adoption assistance, funded through either federal or state funds, a child must be determined to have special needs.
2. DHS must make the determination that the child has special needs under each of the following subsections:
 - A) The child cannot or should not be returned to the home of his or her parent or parents. This decision is based on one of the following subsections:
 - a) An order from a court of competent jurisdiction terminating parental rights;
 - b) The existence of a petition for termination of parental rights;
 - c) A voluntary relinquishment of parental rights for a child under the jurisdiction of the court, in the custody of DHS, or in a subsequent adoption when there was an adoption assistance agreement in place during the prior adoption;
 - d) A voluntary relinquishment of parental rights and a judicial determination that remaining in the home of a specified relative as defined in Child Welfare Policy I-E.6.1, "Title IV-E Foster Care, Adoption Assistance, and Guardianship Assistance Eligibility," OAR 413-100-0020 would be contrary to the child's interests (the request for the judicial determination must be filed within six months of the time the child last lived with the specified relative);

-
- e) For a child who can be adopted in accordance with state or tribal law without a termination of parental rights or voluntary relinquishment of parental rights, the valid reason why the child cannot or should not be returned to the home of his or her parents; or
 - f) In the case of an orphan, verification of the death of the parent or parents.
- B) The child has at least one of the following factors or conditions that makes adoptive placement difficult to achieve:
- a) A documented medical, physical, mental or emotional condition or other clinically diagnosed disability, or a documented history of abuse or neglect or other identified predisposing factor that places the child at significant risk for future problems that need treatment;
 - b) Membership in a sibling group that will be placed together and is difficult to place because it includes three or more children, or if in a sibling group of two, at least one of the children is 6 years of age or older;
 - c) Membership in an ethnic, racial or cultural minority (such as African American, Hispanic, Asian, Indian or Pacific Islander); or
 - d) The child is 8 years of age or older.
3. A reasonable but unsuccessful effort to place the child with an appropriate adoptive family for adoption without adoption assistance has been made, unless such an effort is not in the best interest of the child for reasons including placement with a relative or another person with whom the child has an established significant relationship.

Independent adoptions: A child being adopted in Oregon who was relinquished directly to a family in Oregon and is not in the custody of DHS, a tribe with a Title IV-E agreement or a licensed adoption agency is rarely eligible for adoption assistance. This is only possible when the eligibility criteria described above are met and the child is determined eligible for Social Security income or was previously adopted and received adoption assistance.

Funding

Most children receiving adoption assistance from Oregon receive the assistance under the federal Title IV-E Adoption Assistance Program. To receive benefits under this program, a child must be determined IV-E-eligible. After determining that the child meets the eligibility criterion described in the section above, DHS reviews documentation regarding the child and family circumstances and makes a determination regarding the child's Title IV-E eligibility. Adoption subsidy funding for Title IV-E-eligible children is provided by a combination of federal and state funds. A child residing outside of Oregon who is a recipient of Title IV-E adoption assistance is eligible to receive a medical card from the state Medicaid program where the child resides. For example, a child residing in Washington would receive a medical card directly from that state.

A child determined ineligible for Title IV-E adoption assistance may be eligible for a state-funded adoption assistance payment if the child meets the established criteria. Unlike Title IV-E adoption assistance, not all states will provide a medical card to a child residing in that state. However, if the child is not eligible to obtain a medical card from the state in which he or she is residing, the child will remain eligible for medical coverage through Oregon. The family will need to locate providers in the state of residence willing to accept a medical card and payment from Oregon.

Types of adoption assistance benefits

Agreement only – No cash subsidy or medical insurance needed at this time. Agreement required assuring assistance if needed in the future.

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

Payment only – A negotiated monthly cash subsidy plus level-of-care payment, if applicable, have been established with no medical coverage provided.

Cash and medical – A negotiated monthly cash subsidy plus current level-of-care payment, if applicable, with medical coverage through Oregon or the child's state of residence.

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. 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. DHS will pay the attorney directly on behalf of the family. Payment to the attorney will be deducted from the \$1,500 maximum reimbursement per child allowed for non-recurring expenses. 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. The family will need to pay a non-vendor attorney directly and can request reimbursement as a non-recurring cost.

Adoption assistance application procedure

1. The worker:

- Gathers and reviews documentation regarding the child's 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-years-old) psychological evaluations, mental health assessments and IEPs.
- Meets with the family;
- Explains adoption assistance procedures using the handbook and the Family Application (969B);

- Assists the family with the completion of form CF969B, Adoption Assistance Application, Family Information:
 - » Discusses the child's needs with the family;
 - » If requested, helps the family identify its current out-of-pocket expenses related to the child's needs;
 - » Confirms that the family has considered its personal and community resources available; and
 - » Discusses the purpose of the adoption assistance subsidy and subsidy limitations.
- Completes the CF969A, Adoption Assistance Application, Child's Application.
- Submits the forms and supporting documentation necessary to establish eligibility of the child for adoption assistance to the Adoption Assistance Program.

2. Central Office Adoption Assistance Program staff:

- Reviews documentation 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;

3. Adoption Assistance coordinator:

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

4. 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); and
- Returns all other agreements (adoption assistance, non-vendor attorney and nonrecurring expense agreements) to Salem Central Office.

5. Adoption Assistance coordinator:

- Signs agreements.

6. Central Office Adoption Assistance Program staff:

- Closes the foster care payment, if applicable, and opens the adoption assistance payment;
- Sends the adoptive family a copy of the signed adoption assistance agreement; and
- Notifies the caseworker that adoption assistance has begun.

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 Adoption Assistance 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”

Requesting

Caseworker discusses adoption assistance with the adoptive family. Worker assists the family by:

- Explaining the difference between foster care and adoption assistance and the limits set by federal and state guidelines;
- Discussing the child’s needs with the family;
- Evaluating services that can be covered by other community resources (Oregon Health Plan, school districts or local service providers);
- Reviewing the family’s circumstances; and
- Reviewing the application to ensure that it is complete and the amount and expenses requested are within guidelines.

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; and
- Comes to an agreement with the family on how much assistance DHS will provide for out-of-pocket expenses identified by the family.

Review and 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.

The committee will review and discuss the documentation make an adoption assistance offer recommendation to the assistant Adoption Program manager or designee. The assistant Adoption Program manager/designee will consider all documentation as well as the recommendation by the committee and will decide on the adoption assistance offer.

If family members are dissatisfied with the adoption assistance offer made by the assistant Adoption Program manager or designee, the family may request a review by writing to the DHS Central Office Adoption Program manager.

If family members are 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)

Prior to completing this application, the agency worker should meet with the applicant(s) to review the following instructions, the difference between being a foster parent and a guardian or adoptive applicant and the purpose of assistance payments.

As the caretakers of the child on behalf of the state, foster parents receive reimbursement for their time in meeting the ordinary and special needs of a child. 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; it focuses on helping provide for the child's needs that the applicant(s) would have difficulty providing without financial assistance.

Adoption assistance 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 the applicant(s)' circumstances or child's needs change, the applicant can request to renegotiate the assistance amount.

The information in the following numbered categories corresponds to the numbered questions on the application.

Please contact the applicant's adoption assistance or guardianship assistance coordinator if there are any questions about the application form. The following are specific instructions for each part of the form:

- ① **What are the special needs of the child for whom you are requesting financial assistance?** Along with the diagnoses, please describe the child's needs and provide documentation.

- ② **Financial resources:**
 - a) This information is needed in order for the adoption assistance and guardianship assistance programs to consider the child's needs as well as the applicant's circumstances and ability to integrate the child into the home.
 - b) The number of people supported by the applicant(s)' income **does not** include foster children.
 - c) The total number of people in the home **does** include foster children.
 - d) Examples of additional financial resources available to household members include foster care payments, assisted guardianship payments and child support. List the amount of each financial source.

- e) Does the applicant(s) have unusual costs for expenses like medical needs or education? This question **does not** include the child being adopted or any foster children in the home. Examples: an applicant's child or applicant in college, medical issues that prevent the applicant from working, applicant's medical equipment or prescriptions not covered by insurance, etc.
- f) What other resources are available to meet this child's needs? Applicant(s) may not have this information. Example: Social Security benefits from a biological parent.
- g) Note other resources available to meet this child's needs if the applicant(s) adopts or becomes guardian for the child. Please check the applicable box and provide the benefit amount for each. Examples: Social Security or veterans benefits.

3 Financial assistance request: This section of the application helps 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?** An applicant(s) who is able to meet this child's needs without assistance can choose "agreement only," which ensures the applicant(s) can request assistance at a later date, if needed.
- b) **Does payment need to be made at this time?** This question must be answered for both adoption and guardianship applications.
- c) **Whose name(s) should be on the check?** This question must be answered for both adoption and guardianship applications.
- 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 such as swimming lessons, martial arts or dancing that are intended to address the child's special needs. Include the cost of each activity and how often the child participates in the activity. Examples: soccer, 2 seasons per year at \$55/season; tae kwon do, 9 months per year at \$80/month; summer camp, 1 camp per summer at \$240, divided by 12 months = \$20/month.
- Adaptive equipment – examples: weighted vests for children with sensory integration issues, special foods or utensils or orthopedic shoes. Include information about costs and how often the purchase must be made. Example: orthotics, 3 times per year at \$150 each time = \$450, 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 assistance may include a level of care payment from a Child and Adolescent Needs and Strengths (CANS) assessment. Personal care rates in foster care cannot be paid to a legal parent or guardian and are therefore not included in the adoption and guardianship payments.

4 Medical card coverage: If the applicant(s) plans to add the child to their private insurance, the medical card will become a secondary insurance and *may* help with expenses like copayments if the provider accepts both the private insurance and the medical card. If the applicant(s) 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 applicant(s) chooses to use a non-vendor attorney, adoption assistance can only pay the vendor attorney rate. *For current rate*

information, contact the adoption assistance coordinator. Legal fees are paid when the adoption is finalized.

- ⑥ **Non-recurring expenses:** Allowable expenses are outlined on the CF 0254 form. Contact the adoption or guardianship assistance coordinator assigned to the applicant(s) if you have questions about an expense.

Federal regulations set the maximum reimbursement allowable for adoption at \$1,500 per child, which includes the legal fees for adoption finalization and \$2,000 per child 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 expenses related to travel. 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:** For the application to be processed, it must be signed and dated on all indicated lines.

- ⑧ **Agency worker:** Provide a copy of the completed application to the applicant(s).

The Department of Human Services (DHS) and the Oregon Health Authority (OHA) do not discriminate against anyone. This means that DHS|OHA will help all who qualify and will not treat anyone differently because of age, race, color, national origin, gender, religion, political beliefs, disability or sexual orientation.

You may file a complaint if you believe DHS or OHA treated you differently for any of these reasons.

To file a complaint with the state, you can call the Governor's Advocacy Office at 1-800-442-5238 (TTY 711) or write to their office at:

Governor's Advocacy Office
500 Summer Street NE, E17
Salem, OR 97301

Email: DHS.info@state.or.us
Fax: 503-378-6532

"Equal opportunity is the law!"

This document can be provided upon request in alternate formats for individuals with disabilities or in a language other than English for people with limited English skills. To request this form in another format or language, call 503-945-5728 (*voice*) or 503-945-5896 (TTY) or fax 503-945-6633

Adoption Assistance Family Application

Guardianship Assistance Application

Date: _____ Child: _____ Pre-adoptive case #: _____

To be completed by applicant(s) with agency worker assistance

Family structure: Married couple Single parent Unmarried couple

Provider #: _____

	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:		
Social Security #:		
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 If yes, relationship: _____	<input type="checkbox"/> Yes <input type="checkbox"/> No If yes, relationship: _____
Home phone #:		
Work phone #:		
Cell phone #:		
Email address:		
Home address:	_____ County: _____	
Mailing address:	_____	
City/State/ZIP code:	_____	

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

2 Financial resources:

	Applicant:	Co-applicant:
a) Occupation:		
Gross monthly income:	\$ _____	\$ _____

b) Number of people supported by that income: _____

c) Number of people in the home: _____

- e) Do you have unusual costs for expenses like medical needs or education? Yes No
 If yes, please explain: _____
- f) What financial resources, other than your income, are available to meet this child's needs?
 Please indicate below all that apply:
 \$ _____ Social Security (*disability or retirement of an adoptive parent*)
 \$ _____ Social Security (*death or disability of a birth parent*)
 \$ _____ SSI (*child's disability*)
 \$ _____ Other (*specify*): _____
- g) Will the child become eligible for additional benefits if you adopt him or her? Yes No
 If yes, specify: _____ Amount: \$ _____

3 Financial assistance request (*Note: Federal and state regulations prohibit the adoption assistance payment from being more than the foster care payment. Attach additional pages, if needed.*)

- a) Can you adopt this child or meet the needs of the child for whom you will be guardian, without financial assistance?
 Yes, I/we want an agreement only (*If yes, skip to section 4.*)
 No (*If no, complete sections 3b through 5.*)
- b) Is there a need for a monthly payment at this time? Yes No (*If no, skip to section 4.*)
- c) Whose name(s) should be on the check? _____
- d) What are your out-of-pocket expenses related to meeting this child's ordinary and special needs? (*Complete below.*)

Expenses*:	Monthly cost:	Amount to be provided by parent/guardian:	Amount of assistance requested:
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
Totals:	\$ 0.00	\$ 0.00	
Financial assistance requested grand total:			\$ \$0.00

*Adoption and guardianship assistance cannot provide income replacement, payment for day care, respite, orthodontia, payment for services considered to be the primary responsibility of another resource ⁷ 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

Medical card ID number:

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
 Is the child currently enrolled in the Oregon Health Plan? Yes No

If yes, name of the Oregon Health Plan provider: _____

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 #: _____

Group/plan #: _____ Policy ID #: _____

Type of benefits: 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 (check only one box):

I/we intend to use a vendor attorney. I/we intend to use a non-vendor attorney.

6 Non-recurring expenses:

Yes – CF 254 and applicable receipts attached. No

We/I hereby apply for adoption/guardianship assistance from the State of Oregon, Department of Human Services, Child Welfare for the care of _____	
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 Child Welfare has issued a written notification of the right to request a contested case hearing.	
_____ Signature of applicant	_____ Date
_____ Signature of co-applicant	_____ Date
_____ Name of applicant — please print	_____ Name of co-applicant — please print
Submitted by:	Approved by:
_____ Signature of agency worker	_____ Signature of supervisor
_____ Date	_____ Date
_____ Name of agency worker — please print	_____ Name of supervisor — please print
Agency worker phone: _____	Supervisor phone: _____
Local office/private agency: _____	

Early review

The Adoption Assistance Program may approve an early review of an adoption subsidy request for a child in the custody of DHS. It is recommended that a local DHS office staff person request an early review for a child when considering a potential adoptive family who is ambivalent about adoption, or when the family finances may be an obstacle to completing the adoption. In these situations, an early review is recommended to occur before making a final decision to pursue the family for final consideration as a potential adoptive resource. For example, the early review should be requested prior to a Permanency Committee when a foster family has requested consideration as a current caretaker, but the foster family is ambivalent about adoption or has financial concerns that may prevent the family from adopting the child.

In an early review, the Adoption Assistance coordinator reviews the Adoption Assistance Application information, considering the child's needs and family circumstances. The coordinator provides a projected amount of adoption assistance subsidy that the family will receive. This information is intended to help the caseworker and family decide whether to proceed with the child's adoption by the potential adoptive resource. If the child or family circumstances change between the time of the early review and submission of the Adoption Assistance Application, the new information will be considered, and the initial payment amount offered may be adjusted at the time of the final negotiation.

To request an early review the DHS caseworker contacts the Adoption Assistance Program and submits the required information as described on the Adoption Assistance Early Review Checklist (form CF0451).

Out-of-state adoptions

- Adoption assistance programs vary from state to state. Potential adoptive families from other states who are adopting a child eligible for adoption assistance from Oregon should ensure they receive information regarding Oregon's Adoption Assistance Program.
- Negotiations of the subsidy amount will be based on Oregon's policies and 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.
- If a child with adoption assistance from Oregon moves out of Oregon and is not eligible for Medicaid in the state of residence, the child can receive medical coverage through

Oregon. The adoptive family will need to find medical providers willing to accept the Oregon medical card.

- Adoption assistance and the Interstate Compact for the Placement of Children (ICPC) work together to reimburse nonrecurring expenses to an out-of-state adoptive family. Nonrecurring costs are those expenses directly related to legally finalizing the adoption.

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;
- DHS or the licensed adoption agency has designated the pre-adoptive family as the adoptive placement; and
- 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:

- 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
- 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
- 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
- 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 his or her case plan.

Renegotiation of adoption assistance

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. Renegotiation of adoption assistance requires adoptive parents to identify their current out-of-pocket expenses as related to their child's needs. Per federal law, the maximum amount a child is eligible for is the amount the child would receive if the child were in foster care. Most adoption assistance subsidy amounts are lower than foster care amounts.

- **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 a family signs the Adoption Assistance Agreement, members agree to notify the Adoption Assistance Program immediately if their child no longer resides with them.** DHS shall review the change in circumstances regarding the family and the adopted child to determine whether the assistance should continue. The Adoption Assistance Program may request and adoptive parent(s) shall provide documentation to the Adoption Assistance Program to substantiate their continued legal obligation and support of the adopted child consistent with the level of assistance being provided by the Adoption Assistance Program.
- **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.

- **Child support for children adopted from Oregon:** The Adoption Assistance Program will exempt adoptive parents from paying Oregon child support while their child is in substitute care or residential treatment, provided the reason for placement was not due to abuse or neglect by the adoptive parent.

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, unless an extension has been granted for a child adopted at age 16 or after who meets eligibility requirements, or who is eligible for developmental disability services or Social Security income; or
- The family requests termination of the agreement; or
- The adoptive parents or the adoptive child dies (adoption assistance benefits are not transferable to a caretaking family after a parental death. The child will remain eligible for adoption assistance if the child is re-adopted); 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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