

# Adoption Assistance

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## OVERVIEW

### *What is it?*

A federal and state program that provides cash assistance and other benefits to families who adopt children with special needs from the foster care system.

### *Who is it for?*

Children with special needs in the foster care system include those who have physical, mental or emotional disabilities, are members of a sibling group that need to be placed together, and/or are members of minority groups.

To qualify for adoption assistance, children with special needs must be available for adoption and in the custody of public or private agencies. They do not include children who are placed independently, or foreign-born children who are brought to this country for the purpose of adoption. However, foreign-born children who come into the foster care system as a result of abuse or neglect are eligible for assistance if they have special needs.

### *Where are applications taken?*

Local Departments of Social Services determine eligibility for all children who receive adoption assistance.

## INTRODUCTION

The Adoption Assistance program provides monthly cash payments and other benefits to families who adopt children with special needs. The goal of the program is to reduce the number of children in the foster care system and to provide children with permanent homes. This program is an entitlement program, so all eligible families can receive assistance.

## BENEFITS/ SERVICES

There are four different types of assistance provided to families who adopt children with special needs: cash assistance, vendor payments, Medicaid and assistance with non-recurring expenses.

### **Cash Assistance**

Families can receive cash assistance for an adopted child with special needs. The amount of the monthly payment varies depending on the age of the child. The maximum monthly adoption assistance payments that counties can claim a federal and state match for are:

- \$315 per child for children birth through age five,
- \$365 per child for children ages six through 12,

- \$415 per child for children ages 13 through 18.

Children with HIV are eligible for supplemental payments, as follows:

- \$800 per child with indeterminate HIV status;
- \$1,000 per child when confirmed HIV infected, asymptomatic;
- \$1,200 per child when confirmed HIV-infected, symptomatic; or
- \$1,600 per child when the child is terminally ill with complex medical needs.

All adoption assistance payments terminate when the child reaches his/her 18th birthday.

### **Vender Payments for Medicaid or Therapeutic Services**

Vendor payments are used to pay for services or treatment of a handicapping conditions that existed prior to the time of the child's placement for adoption. The vendor payments amounts are:

- \$1,200 per year for services or treatment not covered by any medical insurance program, such as Medicaid or private insurance; and
- \$1,200 per year for payments of specialized non-medical services such as psychological, therapeutic, tutorial and/or remedial services.

### **Medicaid**

All children eligible for adoption assistance qualify for Medicaid regardless of the income of the adoptive parents, unless the child has an income, such as Social Security from a deceased birth parent, that is above the allowable limits for Medicaid eligibility.

### **Non-Recurring Expenses**

Parents adopting special needs children are eligible for reimbursement of the non-recurring costs of the adoption. The total amount of reimbursement cannot exceed \$2,000. These costs include adoption fees, court costs, attorney fees, and other expenses that are directly related to the legal adoption of the child. Adoption-related expenses can include: the costs of pre-placement assessment, including physical and psychological examinations; transportation and reasonable costs of lodging and food for the child and/or adopting parents when necessary to complete the adoption process; and supervision of the placement. Adoptive parents must apply for reimbursement of the non-recurring costs.

## **APPLICATIONS**

Children who are in the custody of the local Department of Social Services, or one of 19 private adoption agencies (listed below), may be eligible. However, eligibility for assistance is determined by the birth parents' local Department of Social Services.

<b>City</b>	<b>Private Adoption Agency</b>
Greensboro	AGAPE of NC
Charlotte	Another Choice for Black Children*
Charlotte	Bethany Christian Services
Raleigh	Bethany Christian Services
Asheville	Bethany Christian Services
Asheville	Caring for Children (Adoption Plus)*
Greensboro	Carolina Adoption Services
Raleigh	Catholic Social Ministries
Charlotte	Catholic Social Services
Greensboro	Children's Home Society of NC*
Matthews	Christian Adoption Services
Cary	The Datz Foundation
Winston-Salem	Family Services
Charlotte	The Gladney Center
Raleigh	International Adoption Society
Charlotte	LDS Social Services
Raleigh	Lutheran Family Services
Raleigh	Methodist Home Adoption Services
Chapel Hill	Mandala of Chapel Hill

*Note: Those agencies with an asterisk (\*) have statewide contracts to place children with special needs and are reimbursed by the state for the adoptive placement of children from the foster care system.*

## **ELIGIBILITY REQUIREMENTS**

The children are eligible if they are in the custody of a NC public or private agency, are available for adoption, and have special needs. Adoption assistance is not available in independent placements or for foreign-born children who come into this country for the purpose of adoption. However, foreign-born children who come into the system as a result of abuse or neglect may be eligible for assistance if they have special needs.

There are no financial eligibility requirements for the adoptive parents. The adoptive parents should inquire of the agency to see if the child is eligible for adoption assistance before the adoption takes place. Adoption benefits begin a month after the adoption is finalized.

### **Need**

To receive adoption assistance, the child must:

- Be in the foster care system and have a special needs;
- Have a physical, mental or emotional disability;
- Be part of a sibling group that is adopted together; and/or
- Have membership in certain minority groups.

<b>NUMBERS SERVED</b>	There are approximately 4,000 children served each year under the adoption assistance program.
<b>PRIORITIZATION SYSTEM</b>	All eligible children receive services.
<b>APPEAL RIGHTS</b>	<p>Adoptive parents, or prospective adoptive parents, of a child with special needs have the right to appeal the amount of assistance (including a decrease or termination of benefits), a denial of assistance, or failure to inform them of the availability of assistance. Appeals should be initiated with the agency that placed the child or had custody of the child.</p> <p>Applicants or potential recipients have a right to a hearing if they believe they have been wrongly denied financial assistance, not informed of the availability of a program of assistance, or excluded from a service program. The hearing officer will determine whether extenuating circumstances exist and if the applicant or recipient was wrongly denied eligibility.</p>
<b>FINANCING</b>	<p>The adoption assistance program is financed through a combination of federal, state and county dollars. The amount of federal, state and county participation depends on the category under which the child is eligible for assistance. There are three different funding sources.</p> <ul style="list-style-type: none"> <li>• <i>IV-E Funding</i>—Children are eligible to receive assistance under the IV-E program if, at the time they are cleared for adoption (either through termination of parental rights or relinquishment), they are eligible for IV-E foster care assistance benefits or SSI benefits, or they are recipients of Family Assistance (TANF) benefits living with a relative who was given custody by a NC child placing agency. The federal government provides approximately 63% of the cost, and the state and county share the remaining 37%.</li> <li>• <i>IV-B Funding</i>—Children are eligible for IV-B funding if they are not IV-E eligible. Funding is derived from federal IV-B funds and county funds. Counties provide 25% of the cost.</li> <li>• <i>SAF (State Adoption Fund)</i>—This includes all children whose adoption was finalized before June 30, 1982, and all children placed by private adoption agencies. Funding for this category is provided from IV-B funds and state funds. No county funds are required as match.</li> </ul>
<b>ADMINISTRATION</b>	The program is administered on the federal level by the Administration of Children, Youth and Families within the US Department of Health and Human Services. The program is administered at the state level by the Children's Services Section, Division of Social Services within the NC Department of Health and Human Services and at the local level by the local Departments of Social Services.

**SOURCES OF LAW** Federal statute: PL 96-272  
State statutes: NCGS 108A-50  
State regulations: 10 NCAC 41H.0400  
State policy: Family Services Manual, Vol. 1, Chapter 6

**FOR MORE INFORMATION** Special Needs Adoption Coordinator  
NC Department of Health and Human Services  
Division of Social Services  
325 N. Salisbury Street  
Raleigh, NC 27603  
919-733-4622

CARELINE: 1-800-662-7030

