

Adoption Assistance Program and Out of Home Placement

Minnesota Family Support and Recovery Council Conference

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Minnesota Department of **Human Services**

Presenters

- **Tamera VanMoer**

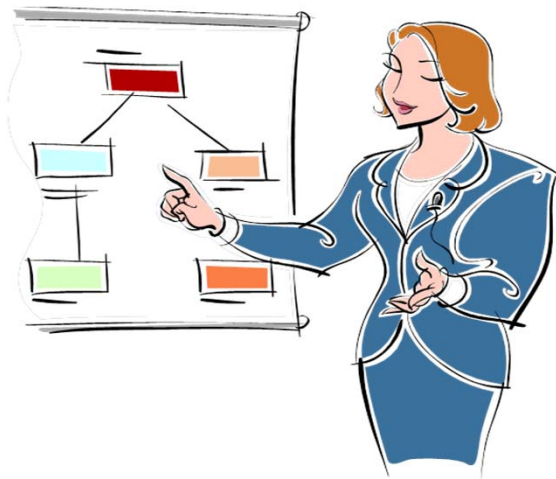
**Adoption Assistance Program Eligibility Policy
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- **Paulette Lonzo**

**Adoption Assistance Program Operations Policy
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Disclaimer

Our expertise is Adoption Assistance



Not parental contribution/fee
assessment and collection

What is Adoption Assistance?

- Is a program to help support adoption of children with special needs who would otherwise remain in foster care.**
- Typically includes financial benefits and medical coverage to eligible children.**
- Adoption Assistance = Adoption Subsidy**

Purpose of Adoption Assistance

- **Removes some of the financial disincentives to adopting children with special needs by providing ongoing financial and medical assistance to eligible children.**

Types of Adoption Assistance

Title IV-E

- Ongoing monthly assistance
- Non-recurring adoption expense reimbursement (NRAE)
- Federal and State funding
- IV-E funding cannot be used if child enters Foster care

State Funded

- Ongoing monthly assistance
- Non-recurring adoption expense reimbursement (NRAE)
- State funding

At-Risk Agreements

- **Do receive NRAE reimbursements**
- **Do not receive basic maintenance or supplemental**
- **Do not receive special non-medical costs expenses**

Basic Maintenance Needs Payment

- **Based on age of the child**
- **Is paid monthly**
- **Automatic increases as child ages**

Payment Schedule

ages 0-5 up to \$247

ages 6-11 up to \$277

ages 12-14 up to \$307

ages 15-17 up to \$337

ages 18-21 up to \$337

Supplemental Maintenance Needs Payment

- **Is paid monthly**

Payment Schedule

Level I up to \$150

Level II up to \$275

Level III up to \$400

Level IV up to \$500

Whose income is it?

**Adoption Assistance
is considered
income or a resource
attributable to the
child.**

**(Minnesota Statute
259A.20)**



Adoption Assistance vs. Social Security payments

Adoption Assistance

- **Child's income**
- **Eligibility determination based on child factors and family factors (e.g. ability to adopt without AA)**
- **Payment can only be made to the adoptive parents**
- **Payment cannot be redirected to county**

Social Security (SSI, RSDI)

- **Child's income**
- **Eligibility determination based on child factors and family factors (e.g. income)**
- **Payment can be made to recipient or a representative payee**
- **County can apply to become payee**

Termination of Adoption Assistance Agreement

- **Child has attained the age of 18**
- **The adoptive parents are no longer legally responsible for support of the child**
- **The adoptive parents are no longer providing any support to the child**

Other important info:

Suspension or other adjustment to the payment without the concurrence of the adoptive parent is prohibited by law.

Out of Home Placement

- **What happens when a child with a Minnesota Adoption Assistance Agreement is placed outside of the home**



*Minnesota Statutes
259A.30 Reporting
Responsibilities*

**Adoptive parents
are legally required
to notify Adoption
Assistance
Program in writing
when child resides
outside of home
for 30 consecutive
days**



*Adoption Assistance Program
follows up to determine*

- **Who placed the child?**
- **Is the adoptive parent still legally responsible for the child?**
- **Is the adoptive parent providing any financial support to the child?**

Some Laws Governing Parental Contribution and Collection of Child Income

- **Minnesota Statutes, section 260B.331 (corrections)**
- **Minnesota Statutes, section 260C.331 (child protection)**
- **Minnesota Statutes, section 252.27 (child with developmental or physical disability or emotional disturbance)**

Note

- **More than one statute re: parental contribution and collection of child income may apply to a child's situation**

*Some Laws, Rules, and Policies
Governing Adjustment of Payment*

- **Section 473 of the Social Security Act**
- **Federal Child Welfare Policy Manual,
Section 8.2D.5 Questions 1-3**
- **Minnesota Statutes, Chapter 259A**
- **Adoption Assistance Agreement**

*Minnesota Statutes, section
252.27, subdivision 2a*

- **“The natural or adoptive parents of a minor child, including a child determined eligible for medical assistance without consideration of child income, must contribute to the cost of services used by making monthly payments on a sliding scale based on income, unless...the child’s adoption is subsidized according to section 259.67 or through title IV-E of the Social Security Act.”**

*Minnesota Statutes, section
252.27, subdivision 2b. Child's
Responsibility*

- **“Responsibility of the child for the cost of care shall be up to the maximum amount of the total income and resources attributed to the child except for the clothing and personal needs allowance as provided in section 256B.35, subdivision 1.”**

For children with Adoption Assistance Agreements:

- **Adoption Assistance payment = income and resource attributed to the child**

Partnership between adoptive family, county, and state in county-involved placements



Adoptive family is responsible

- **Notify Adoption Assistance Program of out of home placement, regardless of setting**
- **Notify Adoption Assistance Program when child's status changes**
- **Cooperate with county process of assessment and collection**

County is responsible

- **Call the Adoption Assistance Program to verify the amount of adoption assistance**
- **Assess a fee according to Minnesota Statutes 252.27 if applicable**
- **Notify the Adoption Assistance Program of Out of Home placement, TPR or permanent transfer of legal and physical custody occurs**

Adoption Assistance Program is responsible

- **Continue payment to adoptive parents unless they are no longer legally responsible for the child or providing any financial support to the child**
- **Terminate Adoption Assistance Agreements if adoptive parents are no longer legally responsible for the child or are not providing any financial support to the child; offer appeal**

- *Modify payment only with the concurrence of the adoptive family*
- *Communicate necessary information with county agency as permitted by law*
- *Follow all applicable federal and state law, rule, and policy re: Adoption Assistance...*

Best Practices

- **County develops clear written policies on parental contribution and collection of child income**
- **Adoptive families are not treated differently than other families except as indicated by law**

Contact Information

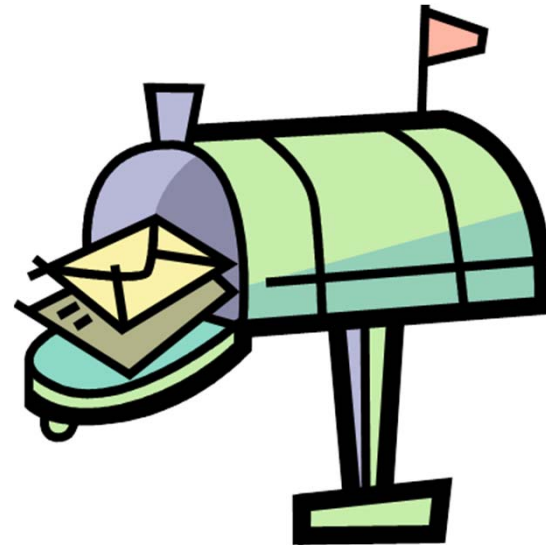


Adoption Assistance Operations Staff

- **Post-finalization contacts for workers and families to notify of changes**
- **Vacant** **Last name A-D** **651.431.4723**
- **Karen Womack** **Last name E-L** **651.431.4719**
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Adoption Assistance Program

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It's QUESTION TIME!!

Thanks for coming !

