

Follow-Up Document for the Webinar

Understanding Adoption Assistance Eligibility

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Answers to Questions Asked During the Webinar

Responses in this document are from the NC Division of Social Services Child Welfare Services Section.

- 1. Can you please clarify the dates that the 050 and 060 printouts were required to be with the RIL findings? A DCDL was issued 6/2014, any adoption dated after 6/2014 requires the DSS-5268, 050 and 060 print screens.**

The DCDL was issued on June 1, 2014. Here is the link:

<https://policies.ncdhhs.gov/divisional/social-services/child-welfare/administrative-letters/2014/cws-al-01-14.pdf/view>

A new DCDL was recently sent out by Kimaree Sanders, Section Chief of Regulatory and Licensing on June 12, 2023: <https://www.ncdhhs.gov/divisions/social-services/county-staff-information/county-director-letters#ChildWelfareServices-945>.
<https://www.ncdhhs.gov/cws382023/download?attachment>

- 2. Can you provide more information about where the requirement for the 050 and 060 screenshots is in statute and/or policy. The administrative letter from 2014 is for approving the adoptive placement and not for adoption assistance purposes. Is it a federal or a state requirement?**

For any adoptive placement, it's part of the adoption checklist. It is both a state and federal requirement.

3. When a family comes to the DSS in the county in which they now live and is requesting adoption assistance for the children who were in foster care in another county, whom they were given custody, and they are determined to be eligible for AA, which director needs to sign the adoption assistance agreement?

It would be the county that is issuing the benefits. If they are no longer in DSS custody, then the county where the family resides determines and administers benefits.

4. (Regarding vendor payments) Can you restate the conflict of interest?

The professional who is recommending the service/device/program cannot be the same professional who is administering the service/program or selling the device. This creates a conflict of interest since that same professional who is recommending would also benefit financially and professionally.

5. What if the family lives out of state when adopting (regarding Medicaid)?

You would have to go through ICPC, ICAMA. The adoption assistance benefits will always be administered by the same county that made the determination, regardless of where the family lives. Medicaid is established in the county or state where the family resides.

If an adoption home study is completed by a private adoption agency and they complete the fingerprint clearance, how can the county agency secure a copy of the fingerprint clearance letter to secure adoption assistance benefits? Most private agencies just state the fingerprint clearance date in the home study and will not release the actual fingerprint clearance letter.

We can try to get those prints from the Division of Child Development and Early Education (DCDE). We can also give you the information for you to contact DCDEE to obtain the prints.

6. In regard to SCAIF, are we solely looking at room and board payments above the standard or are we considering any additional monthly stipend the family may receive from their agency for the youth? For ex: DSS pays \$698 per month for the room and board rate. The private agency pays the family an additional monthly stipend. Is this SCAIF qualifying, or not?

The monthly rate that the family receives minus the R&B rate makes up the SCAIF payment. The family should be receiving that rate for the last 6 months (or the average). The monthly adoption cash payment and the SCAIF payments are separate funds and are issued independently of each other monthly. Not every child who receives a higher rate will be approved to receive SCAIF. To be eligible for SCAIF, the child's needs and daily supervision requirements must meet an exceptional level of care. Generally, these are the outliers of kids that require extensive, on-going medical care or hospitalizations.

If the family currently receives \$1600/month from their agency, then the SCAIF would be \$1600-\$698=\$902. The R&B rate would come to the family in the form of the monthly adoption assistance check (\$698) and then another check would be mailed from the SCAIF fund for \$902 so the family is still receiving \$1600/month. The agency can negotiate a lower rate for SCAIF, and the amount should be based on 30-day months, not 31.

7. For agreements signed after the decree is issued, is IV-B funding still available?

After a fair hearing to establish eligibility, you would determine the funding based on what the child is eligible for. IV-B is typically the funding source for those previously in DSS custody.

8. (Regarding the Adoption Assistance Agreement) Do you use the child's biological first name or new name?

There is nothing that currently states which name should be used on the documents. For adoption staff and confidentiality purposes, it's advised to use the adoptive name. Parents should have copies of the documents and having the birth name on there could potentially release identifying information to the child at some point in the future. It also cuts down on confusion for the worker if the adoptive parent contacts the agency regarding their child (they are not/should not be using the birth name). You may list the child's biological name somewhere in the adoption assistance file for reference for monitors when reviewing.

9. What is the time frame for completing the DSS-5012 and DSS-5013, is this completed after the TPR hearing? after the plan has changed to adoption? What happens if the plan has changed, there has been a TPR, but the child is not placed in an adoptive home (i.e., in PRTF or other type of placement), and some of the questions cannot be answered?

As some questions may not be able to be answered until the child is in an adoptive placement, the DSS-5012 should be completed 30 days after the plan changes. The DSS-5013 should be completed prior to final decree. There is nothing set in policy on timeframe for this other than before final entry. The DSS-5012 should be updated at least annually if the child is in DSS care. It should also be reviewed prior to signing the agreement to make sure it has the most up to date information and the child's age or conditions have not changed (as this may change benefits/funding source). We suggest signing the DSS-5013 after the adoption petition has been filed. Typically, you have 90 days to complete the adoption. We would suggest completing the DSS-5013 within that 30-to-90-day timeframe. If you know your Clerk of Superior Court issues decrees quickly, perhaps the same day, please ensure this document has already been signed prior to filing.

10. Financial support, including child support because DSS has obtained custody of the child again?

Child support is separate from adoption assistance. You can have the court order the parent to surrender the adoption assistance benefits for care of the child. You cannot terminate the adoption assistance because the child re-enters custody. You will find in Appendix 3-6 Adoption Assistance Funding the following guidance: <https://policies.ncdhhs.gov/divisional/social-services/child-welfare/policy-manuals/appendix-3-6-adoption-assistance-funding.pdf/view>

- 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 automatically considered no longer legally responsible for the support of a 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. 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. Consequently, the local child welfare agency must continue the adoption assistance subsidy, if it determines that the parent is, in fact, providing some form of financial support to the child.

If the agency and the adoptive parent(s) mutually agree to terminate the adoption assistance, then you can complete the DSS-5308, Termination of Adoption Assistance Notice. Mail them a certified copy and place a copy in the adoption assistance file. Then terminate on the DSS-5095.

11. (In regard to the monthly check) When parents divorce and can't agree who should have the check. What does the county do in that circumstance? Both parents have 50/50 custody.

The check follows the child. The court may need to order where and who has control of the benefit. We do not get involved in custody or divorce disputes.

12. If a child is in the potential exposure category, is it required to document the toxin exposure on the DSS-5013?

Yes, you should document the exposure and any potential issues like – genetic history of the parents and any known or mentioned mental health or medical history of parents on the DSS-5013. There must be a reason for the child to be potential, even if there's an unknown father history. This doesn't mean what is documented will manifest, but the child is more genetically predisposed to these or other conditions/diagnoses that may emerge later.

13. If the CDSA sends the child to other specialist i.e., speech therapy and then the child is given a diagnosis, can the child possibly be eligible?

Yes, if there is a qualifying diagnosis given and the child is receiving services, a DSS-5307 should be completed and updated with the new information. Remember, delays do not qualify. The diagnosis should be of a chronic, long-term nature and may require medication, therapies, treatment, or monitoring.