

10b. Establishing Adoption Assistance

The Adoption Assistance Program in Oregon provides financial and/or medical assistance to adoptive families to help them with the costs associated with their adoptive child's needs. Families may also receive a one-time, non-recurring payment up to \$2000, for costs incurred in legally finalizing the adoption of a special needs child. Adoption Assistance supports the adoption of children with special needs who cannot be placed in an adoptive home without some form of medical coverage and/or financial assistance.

This procedure is specific to the eligibility, application, and process requirements for establishing adoption assistance. Adoption assistance can include medical coverage for the child and a subsidy to the adoptive parent(s) on behalf of the child to help support the adoptive parent(s) in meeting the child's needs. Adoption assistance can be an agreement only with no current subsidy or medical coverage and which allows the adoptive parent(s) and child to retain eligibility for such assistance if needed in the future.

The Adoption Assistance Program provides both Title IV-E adoption assistance, which is funded by a combination of state and federal funds, and state only funded assistance to children who do not qualify for the Title IV-E assistance. As a result, almost all children being adopted from foster care are eligible for adoption assistance. A requirement of the program is a negotiation of the subsidy the family will receive. There is not a standardized amount for the subsidy. The average adoption assistance subsidy is less than the foster care payment. In no case may it exceed the foster care payment.

If the child meets all eligibility requirements for adoption assistance a subsidy amount will be negotiated by Central Office with the potential adoptive parent(s). The adoption assistance agreement must be signed by the potential adoptive parent(s) and approved by Central Office prior to the adoption finalizing to ensure the child's eligibility for this assistance.

A. Adoption Assistance Eligibility Requirements

Caseworker

Procedure

- Before submitting an application for adoption assistance the caseworker must ensure the following requirements are met:
 1. The child is legally free and the pre-adoptive case is open.

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2. The child is in a placement designated by Central Office as the adoptive home.

3. The child must be determined to have special needs. All children in DHS



foster care will meet the special needs criteria for adoption assistance. At a minimum, the caseworker can indicate the child meets special needs criteria as he or she has been placed in foster care and is considered “at risk” due to genetic or environmental factors. The list of qualifying factors and conditions is below:

To determine if the placement of a legally free child has been designated, under the central office adoption tracking hyperlink on the child’s pre-adoptive case do the following: 1) click on the child tab 2) click on the status arrow 3) locate the Legally Free Designation Date box. If the box is empty, the child is not yet eligible for the adoption assistance.

- a. A documented medical, physical, mental, 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. Is a member of a sibling group which will be placed together and is difficult to place because there are three or more children, or if in a sibling group of two, at least one of the children is six years of age or older;
 - c. Is a member of an ethnic, racial, or cultural minority (such as African American, Hispanic, Asian, Indian, or Pacific Islander); or
 - d. Is eight years of age or older.
4. Federal rules require that DHS must have attempted to place the child with an adoptive family without adoption assistance or determined that placement with a relative or another person with whom the child has an established significant relationship is in the child’s best interest. To meet this requirement the following must have occurred:
- a. A potential adoptive family must have been identified and selected in accordance with Child Welfare Policy I-G.1.2 Identification and Consideration of Potential Adoptive Resources and I-G.1.5 Adoption Placement Selection.
 - b. The selected family must have been informed about the Adoption Assistance Program.
 - c. An inquiry must have been made to the selected family regarding whether or not they need the assistance in order to adopt.
5. The potential adoptive parent(s) must agree to continue to meet the educational enrollment requirements for receipt of adoption assistance which states that a child must be enrolled in an elementary or secondary school as determined by the law of

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the state of residence; home schooled in accordance with law of the state of residence; enrolled in an independent study program in accordance with the law of the state of residence; or incapable of attending school due to a documented medical condition.

B. Informing a Potential Adoptive Parent(s) of the Availability and Purpose of Adoption Assistance

Caseworker

Procedure

- The caseworker has the primary responsibility for ensuring the potential adoptive parent(s) is prepared for the negotiation of the subsidy with Central Office. While the adoption worker may have the direct conversations with the potential adoptive family about adoption assistance, the caseworker needs to confirm with the adoption worker and potential adoptive family that the conversations have occurred and the family was informed of the purpose, limitations, and process related to adoption assistance. The following information should be discussed prior to implementing a plan in which adoption assistance will be requested:
 1. Unlike the foster care payment, there is not a standard amount that the family will receive for the adoption assistance subsidy.
 2. The adoption assistance subsidy is meant to combine with the family's income and resources to help cover the child's needs.
 3. The adoption assistance subsidy must be negotiated based on the family's out of pocket expenses incurred to meet the child's basic and special needs.
 4. The average monthly subsidy is much less than the foster care payment, and the subsidy cannot exceed the Oregon foster care base payment determined by the child's age and the level of care payment determined by a CANS screening.
 5. If the child's placement is paid through the Office of Developmental Disability Services (ODDS) or the family receives a personal care payment for the child, these payments are not considered in setting the ceiling for the adoption assistance subsidy. The ceiling is the Oregon foster care base payment determined by the child's age and the level of care payment determined by a CANS screening.



If a child is placed in a foster home paid by ODDS and the child has behaviors that indicate a need for enhanced supervision, a CANS screening may be requested for the purpose of determining the level of care payment that can be included in adoption assistance subsidy.

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6. Adoption assistance ends when the child turns 18, unless an extension is granted and then it must end by 21. Extensions are limited and only possible when:
 - a. The child, at the time of turning 18, is determined eligible for social security or developmental disability services based on a disability; or
 - b. The initial adoption assistance agreement began after the child turned 16 and the child is enrolled in specific vocational and/or educational activities or a medical condition prevents such activity.
 7. The family can request a renegotiation of the amount of adoption assistance if the circumstances of the family or needs of the child change. However, the same process and subsidy limitation as described above will apply in negotiating the new subsidy.
- When there are concerns that finances may be a barrier to finalizing an adoption, the caseworker should request an early review of adoption assistance. The early review should occur prior to formally changing the plan to adoption with the family. The caseworker follows the process described on the CF 0451 Adoption Assistance Early Review Checklist to request an early review.

The Adoption Assistance Program will review the documentation provided by the caseworker and will notify the caseworker via email of the projected amount of adoption assistance subsidy that the family will receive. The information is intended to assist the caseworker and family with the decision regarding whether or not to proceed with consideration of the family as a potential adoptive resource for the child. Remind family that this is a projection and not a guarantee of the amount the family will ultimately receive.

C. Local Office Requirements for Completing and Submitting the Application for Adoption Assistance

Caseworker

Procedure

- The practice among local offices differs regarding the person identified to educate the family about adoption assistance and assist the family to complete the adoption assistance application. However, it is ultimately the caseworker with case planning responsibility who is expected to ensure a timely and complete application is submitted on behalf of the family. As a result, the caseworker needs to ensure the following occurs:

The Oregon Adoption Assistance Handbook (DHS 9050) <https://apps.state.or.us/Forms/>

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Served/de9050.pdf offers valuable information for adoptive parents as well as assists with explaining the Adoption Assistance Program. The family must be provided a printed copy or the link to the online version. Assistance must be provided to the family to aid in completion of the CF 0969B Adoption Assistance Application as it is the basis of the negotiation for the adoption assistance.

The following needs to be completed in order to ensure the family is provided the support necessary to completely and accurately make the application for adoption assistance:

1. Review the directions with the family. The directions are located on the cover page of the application.
2. Remind the family of the purpose and limitations of adoption assistance as described above in section B. “Informing a Potential Adoptive Parent(s) of the Availability and Purpose of Adoption Assistance”.
Ensure the family lists their specific expenses related to the child needs and that their request for assistance is based on these expenses.
3. Review the addendum at the bottom of page two with the family. There is a list of selected services and goods that are not eligible for consideration in negotiating the adoption assistance subsidy. Ensure the family is not requesting consideration of these expenses, and that the total request does not exceed the Oregon foster care base payment determined by the child’s age and the level of care payment determined by a CANS screening.
4. If the family has non-recurring expenses, advise the adoptive family of the non-recurring payment process.
 - a. Help the adoptive family complete the CF254, “Nonrecurring Adoption Expenses” form.
 - b. Scan the completed CF254 form and applicable receipts into OR-Kids and save in the file cabinet in the OR-Kids pre-adoptive child case.
 - c. The non-recurring expense agreement must be signed and returned to the Adoption Assistance Program prior to the final decree of Adoption.
 - d. Non-recurring payments will be authorized by Central Office and provided to the adoptive family when the Adoption Assistance Program receives the signed adoption decree. If the adoption does not finalize, there will be no reimbursement.
5. Review the adoption assistance application to ensure it is completely filled out and



Adoption Assistance cannot pay for day care, educational services such as tutoring, the parent’s time involved in caring for the child, or services that are the responsibility of another resource, such as medical, therapeutic services or residential treatment.

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contains all the signatures and dates requested.

6. Provide a copy of the completed application to the family.
7. Confirm the application is scanned and saved in the file cabinet in the OR-Kids pre-adoptive case in accordance with local office business protocols.
8. Complete the Certificate of Special Needs on the pre-adoptive case and ensure the correct special needs are identified in order to ensure eligibility for the assistance. If “no special needs” is selected the child will not be eligible for assistance. Consult with the supervisor before making this selection.
9. After completing the Certificate of Special Needs, request the Title IV-E specialist to complete the Title IV-E Adoption Assistance Determination.

Certifier/Adoption Worker

Procedure

- As the person responsible for the provider record, the certifier/adoption worker must ensure the following items are completed prior to the caseworker submitting a request for adoption assistance to Central Office:
 1. The adoption home study and any home study updates of the potential adoptive parent(s) have been scanned and saved in the file cabinet in the provider record in OR-Kids.
 2. All four of the following adoption services in OR-Kids are active with Central Office identified as the office. The services include “AA Agreement Only-DHS, AA Medical Only-DHS, AA Subsidy and Medical-DHS, and AA Subsidy Only-DHS”.
 3. The “AA open pre-adoptive placement certified service” is active with the local office of the certifier/adoption worker as the identified office. If the provider is out of state and is not certified activate the “AA open pre-adoptive placement non-certified service” instead of the certified service.



Title IV-E Specialist

Procedure

- Following a request from the caseworker and prior to the caseworker

The certifier/adoption worker should not wait until adoption assistance is being requested to ensure the above services are activated. Once the adoption home study is approved the services can be activated. This will enable the caseworker making a timely request for adoption assistance.

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submitting a request for adoption assistance to Central Office, the Title IV-E specialist must complete the following:

1. An Adoption Assistance Determination and Title XIX Determination in the OR-Kids pre-adoptive case.
2. Verify that the supporting Title IV-E documents have been scanned and saved in the file cabinet in the OR-Kids pre-adoptive case.



The caseworker must complete the Certificate of Special Needs on the pre-adoptive case before the IV-E specialist can complete the adoption assistance determination and the Title XIX Determination.

Caseworker

Procedure

- The caseworker makes sure all the requirements listed on the CF 0450 Adoption Assistance Application Requirements form have been met. The documents must be complete with all required information filled out, and must be signed and dated if applicable.
 1. Following are the required documents which must have been created or scanned and saved in the file cabinet in the OR-Kids pre-adoptive child case:
 - a. CF 0969A Adoption Assistance Application (Child Information)
 - b. CF 0969B Adoption Assistance Application (Family Information)
 - c. Adoption Child Summary
 - d. Proof of citizenship or legal residency document for the child
 - e. Title IV-E supporting documents
 - f. If applicable, the CF254 Nonrecurring Adoption Expense form and related receipts.
 2. The following are the required documents which must have been scanned and saved in the file cabinet in the OR-Kids provider record by the certifier, adoption worker, certification technician or support person:
 - a. Adoptive home study of the potential adoptive parent(s)
 - b. Any home study updates of the adoptive parent(s)
- When all requirements have been met the caseworker e-mails a completed copy of the CF 0450 Adoption Application Requirements form to “NEWAPPS AAGA” e-mail address. The child’s



The adoption home study should be scanned and saved in the OR-Kids provider record only (not the child’s case) for confidentiality purposes. To save the adoption home study in the OR-Kids provider record you must be assigned to the provider record.

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case number must be typed in the subject line of the email. Note: The caseworker approves this application by ensuring all information is complete and accurate. Another staff member may email the form but the caseworker must be copied in the e-mail to ensure they are aware of the case status.

- **IMPORTANT INFORMATION ABOUT CANS SCREENINGS AND LEVEL OF CARE PAYMENTS:**
 1. If a CANS screening has been requested, is pending, or is in the process of a contested case hearing, this must be resolved before the CF 0450 is submitted. Note: An AA negotiation cannot start until the final level of care is determined as the information is necessary for consideration in the AA subsidy negotiation. Do not request a CANS screening after submission of the form without first consulting with the Adoption Assistance Program.
 2. The base rate of the adoption assistance subsidy is negotiated. However, any level of care payment resulting from a CANS screening will be added to the base rate. As a result, the adoption assistance subsidy cannot be finalized until the CANS process is complete and the level of care payment determined.
 3. If the Enhanced Supervision (level of care payment) is approaching the date it will expire and the annual CANS rescreening is due, this must be reported in the e-mail.
 4. Depending on the date for the annual CANS rescreening, the caseworker may submit paperwork for an early CANS rescreening to ensure this is complete prior to submitting the CF 0450.

The Supervisor's Role

- Provide guidance and assist in determining Adoption Assistance benefits for an adoptive family.
- Review and discuss high rate requests with the caseworker.
- Review and sign the CF 450 and the CF 969B.

D. Receipt of the Application and Supporting Materials in Central Office

Achieving permanency through adoption in a timely fashion requires close tracking of materials that need to be submitted to the Central Office Adoption Services Unit.

Adoption Assistance Program Staff

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Procedure

- Upon receipt of the CF 0450 a staff member in the Adoption Assistance Program completes the following:
 1. Reviews the form and ensures all the required documents are complete and are located in the OR-Kids pre-adoptive child case or provider records.
 2. If complete, assigns the case to an adoption assistance coordinator and e-mails the caseworker confirming that the application is complete and has been assigned to a coordinator. Document on the central office adoption tracking page in OR-Kids that the case has been assigned.
 3. If the Adoption Assistance Application Requirements are not complete, AA staff notifies the caseworker by e-mail that the requirements have not been met, identifies which items need completion, and informs the caseworker that the CF 0450 needs to be resubmitted when all of the requirements have been met. The application will not be assigned for negotiation nor tracked by Central Office. No further e-mail reminders will be sent regarding the incomplete application.
 4. Documents on the central office adoption tracking page in OR-Kids that the checklist has been returned and the outstanding requirements not met.
- Upon assignment of a case, the adoption assistance coordinator completes the following:
 1. Reviews the case materials.
 2. Contacts the family within 60 days of being assigned the application unless a CANS screening is due, in process, or there is contested case hearing in process. Cases are worked in order of assignment.
 3. Negotiates the amount of the adoption assistance subsidy directly with the family by phone.
 4. Upon reaching a verbal agreement with the family, sends the written adoption assistance agreement to the family. Coordinator will include the vendor attorney agreement and the list of vendor attorney's or the non-vendor attorney agreement with the



Remember to uncheck the "date restricted" box to ensure all of the documents saved in OR-Kids appear

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adoption assistance agreement. The non-recurring expense agreement will also be sent if applicable.

5. Enters on the central office adoption tracking page in OR-Kids the date the agreement was sent.
6. Reviews and signs the agreement after the family has read, signed, and returned the agreement to Central Office.



Adoption assistance applications are assigned according to the first letter of the last name of the potential adoptive family. The alphabetical breakdown of assignment changes occasionally according to workload and is periodically distributed to field staff via the Who's Who List for the Adoption Program. It is also available on the DHS staff tools website under Adoption at <http://www.dhs.state.or.us/caf/adoption-guardianship-assistance-contacts.pdf>.

E. Opening the Adoption Assistance Services

Adoption Assistance Program Staff

Procedure

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

- Upon receipt of the signed adoption assistance agreement the adoption assistance program staff completes the following:
 1. Scans the adoption assistance agreement into the file cabinet in the OR-Kids child's pre-adoptive case.
 2. Closes the foster care placement and opens the adoption assistance service.
- Once adoption assistance is opened and the legal fee agreement has been received, the adoption assistance program staff:
 1. Sends a copy of the signed adoption assistance agreement as well as information regarding the adoption assistance program to the adoptive family.
 2. Sends the caseworker an email notification regarding the opening of the adoption assistance service.

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Caseworker

Procedure

1. Review and resolve any AFCARS and ticklers regarding the case and ensure any pending work is completed and approved. Once the adoption finalizes the caseworker will receive an email notification with further direction regarding closure of case plans.



Central office, not the local office, closes the foster care placement when adoption assistance will be provided. Adoption assistance must be opened prior to the finalization of the adoption or the child will no longer be eligible for the program.

F. Finalization of the Adoption, Creating the Adoptive Case in OR-Kids and Transferring the Provider Record

- Upon receipt of the adoption decree, the adoption assistance program staff will begin preparations to close the pre-adoptive child's case so that the adoptive case can be created in OR-Kids.

Adoption Assistance Program Staff

Procedure

1. Sends the caseworker an email notification stating that the adoption has finalized along with direction regarding closure of case plans.
2. Sends the certification/adoption worker an email notification that the adoption has finalized and the provider record needs to be updated.

Caseworker

Procedure

1. Ensures all AFCARS, ticklers, and pending work are complete.
2. Closes all ongoing services and tx planning/permanency plans that are ongoing and/or pending.

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Certifier/Adoption Worker

Procedure

1. Upon receipt of email instructions from central office adoption staff, update the provider record by adding the adopted child to the provider record.
2. If the adoptive parent will no longer be providing any foster care services the foster care certification can be closed and the provider record can be designated to Central Office with primary assignment to the adoption assistance coordinator.

The Supervisor's Role

- Ensure all the requirements listed on the CF 0450 have been met before signing the form.
- Ensure all pending work is complete and approved, including all AFCARS exceptions, so the pre-adoptive case can be closed by the adoption assistance program staff and the adoptive case can be created.



Forms and References

- CF 0451 Adoption Assistance Early Review Form Checklist
http://dhsresources.hr.state.or.us/WORD_DOCS/CE0451.doc
- CF 0450 Adoption Assistance Application Requirements
http://dhsresources.hr.state.or.us/WORD_DOCS/CE0450.doc
- CF 969A Adoption Assistance Child's Application
http://dhsresources.hr.state.or.us/WORD_DOCS/CE0969A.doc
- CF 0969B Adoption Assistance Family Application
http://dhsresources.hr.state.or.us/WORD_DOCS/CE0969B.doc

Child Welfare Policy

- I-G.1.2 Identification and Consideration of Potential Adoptive Resources
http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-g12.pdf
- I-G.1.5 Adoption Placement Selection
http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-g15.pdf

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- I-G.3.1 Adoption Assistance
http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-g31.pdf
- I-E.6.1, Title IV-E Foster Care, Adoption Assistance, and Guardianship Assistance Eligibility
http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-e61.pdf

Additional Resources

- Link to OR-Kids Online:
<https://inside.dhsoha.state.or.us/dhs/or-kids.html>
- Link to OR-Kids Quick Reference Guides:
http://insidextra.dhsoha.state.or.us/caf/or-kids/referencematerial/ref_guide.html