

Lois Ann Day, Administrator
Office of Safety & Permanency for Children

Authorized Signature

Number: CW-PT-11-002

Issue Date: 07/01/2011

Topic: Adoptions

Transmitting (check the box that best applies):

- New Policy
 Policy Change
 Policy Clarification
 Executive Letter
 Administrative Rule
 Manual Update
 Other: _____

Applies to (check all that apply):

- | | |
|---|---|
| <input type="checkbox"/> All DHS employees | <input type="checkbox"/> County Mental Health Directors |
| <input type="checkbox"/> Area Agencies on Aging | <input type="checkbox"/> Health Services |
| <input checked="" type="checkbox"/> Children, Adults and Families | <input type="checkbox"/> Seniors and People with Disabilities |
| <input type="checkbox"/> County DD Program Managers | <input type="checkbox"/> Other (please specify): |

Policy/Rule Title:	I-G.3.1 Adoption Assistance 413-130-0000 to 413-130-0130 I-E.3.6.1 Guardianship as a Permanency Plan 413-070-0651 to 0670 I-E.3.6.2 Guardianship Assistance 413-070-0900 to 413-070-0974		
Policy/Rule Number(s):	OAR 413-130-0000 thru 0130 OAR 413-070-0651 thru 0670 OAR 413-070-0900 thru 0974	Release No:	
Effective Date:	I-G.3.1 and I-E.3.6.2 are in effect as of June 30, 2011, I-E.3.6.1 is in effect as of June 28.	Expiration:	
References:			
Web Address:	http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-e361.pdf http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-e362.pdf http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-g31.pdf		

Discussion/Interpretation:

I-G.3.1, Adoption Assistance is being amended to more clearly explain the criteria for

eligibility for federally and state funded adoption assistance and the process for negotiation, renegotiation, adjustment, and termination of adoption assistance, including information regarding the use of the CANS in determining an adoption assistance payment. It is being further amended to use terms commonly defined in other child welfare rules and to clarify requirements regarding contested case hearings and notices. In addition, it is being amended to implement the provisions of Fostering Connections to Success and Increasing Adoptions Act of 2008 which allows adoption assistance extensions for eligible children past the age of 18. Eligibility includes youth who are adopted after the age of 16 and who are employed, in an academic or vocational program, or who have disabilities preventing them from participating in these activities. This will allow the Department to claim reimbursement for federal IV-E eligible young adults.

I-E.3.6.1 Guardianship as a Permanency Plan is being filed to make permanent rules on appropriately determining Guardianship as a Permanency Plan. Much of the information in this rule was moved from I-E.3.6.2 Guardianship Assistance in order to allow for a rule set specific to planning for guardianship. This rule set describes the criteria for identifying, approving, and implementing guardianship as the primary permanency plan.

I-E.3.6.2, Guardianship Assistance is being amended to more clearly explain the criteria for eligibility for federally funded relative guardianship assistance and the process for negotiation, renegotiation, adjustments, termination and review of guardianship assistance, including information regarding the use of the CANS in determining a guardianship assistance payment. It is being further amended to use terms commonly defined in other child welfare rules and to clarify requirements regarding contested case hearings and notices. It is being amended to remove general information regarding Guardianship Planning which is now moved to I-E.3.6.1. In addition, it is being amended to implement the provisions of Fostering Connections to Success and Increasing Adoptions Act of 2008 which allows Guardianship Assistance extensions for eligible children past the age of 18. Eligibility includes youth who enter into guardianship agreements after the age of 16 and who are employed, in an academic or vocational program, or who have disabilities preventing them from participating in these activities. This will allow the Department to claim reimbursement for federal IV-E eligible young adults.

Training/Communication Plan:

The Adoption and Guardianship Program will present these rule revisions at the Child Welfare Program Managers meeting, Supervisors Quarterlies, and Permanency Quarterlies. The Adoption and Guardianship Program is available for specific questions related to these rules and to provide training as requested by local offices. Web based training is being developed to provide more in depth training for guardianship planning and should be available later in the year. In addition, the program will be revising the procedures regarding Guardianship and Adoption

Assistance, and Guardianship as a Permanency Plan.

Local/Branch Action Required:

Local child welfare office staff are expected to read and review these administrative rules.

Central Office Action Required:

Central Office is expected to respond to policy implementation questions, case consultation, and implementation of continued training opportunities for local office staff.

Field/Stakeholder review: Yes No

If yes, reviewed by: Policy Council, Rule Advisory Committee

Filing Instructions:

If you have any questions about this policy, contact:

Contact(s):	Kathy Prouty and Carla Crane		
Phone:	(503) 945-6897 and (503)945-5998	Fax:	(503) 945-6969
E-mail:	Kathy.Prouty@state.or.us Carla.Crane@state.or.us		