DHS Oregon Department of Human Services
Children, Adults and Families

Policy Transmittal

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

Number: CW-PT-11-007
Issue Date: 10/14/2011

Topic: Adoption Assistance and Guardianship Assistance

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):

☐ All DHS employees
☐ Area Agencies on Aging
☒ Children, Adults and Families
☐ County DD Program Managers
☐ County Mental Health Directors
☐ Health Services
☐ Seniors and People with Disabilities
☐ Other (please specify):

Policy/Rule Title:	I-E.3.6.2 Guardianship Assistance I-G.3.1 Adoption Assistance		
Policy/Rule Number(s):	OAR 413-070-0900 thru 413-070-0974 OAR 413-130-0000 thru 413-130-0130	Release No:	
Effective Date:	10/1/2011	Expiration:	
Web Address:	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:

The following sets of administrative rules were released as temporary rules on October 1, 2011 and have been released as proposed permanent rules:

I-E. 3.6.2 Guardianship Assistance
I-G.3.1 Adoption Assistance

Implementation/Transition Instructions:

Temporary administrative rules regarding adoption assistance and guardianship assistance went into effect on June 30, 2011. A revised version of the temporary rules has been filed to add and clarify the following information:

I.E.3.6.2 Guardianship Assistance is being filed to include the ability to extend guardianship assistance until a child turns 21 when the child turns 18 on or after October 1, 2011, has a disability, and is eligible for developmental disability services or Social Security Income (SSI). Documentation supporting the eligibility for services must be submitted prior to the child's 18th birthday. In addition, the temporary rule further clarifies the circumstances that may affect the amount or eligibility of a child receiving guardianship assistance, and the notification requirements of the guardian and the Department in the event of a circumstance affecting the payment or eligibility for assistance.

I-G.3.1 Adoption Assistance is being filed to include the ability to extend adoption assistance until a child turns 21 when the child turns 18 on or after October 1, 2011, has a disability, and is eligible for developmental disability services or Social Security Income (SSI). Documentation supporting the eligibility for services must be submitted prior to the child's 18th birthday. In addition, the temporary rule further clarifies the requirements in order for a determination to be made that a child cannot or should not be returned to the home of his or her parent or parents as this is a requirement for eligibility for adoption assistance.

The proposed permanent rules that have been posted on the DHS website also incorporate the changes described above.

Training/Communication Plan:

The Adoption Program is presenting these rule revisions at the Child Welfare Program Managers meeting. The Adoption Program is available for specific questions related to these rules and to provide training as requested by local offices. In addition, the program is currently revising the procedures regarding Adoption Assistance and Guardianship Assistance.

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, requests for case consultation, and implementation of continued training opportunities for local office staff.

Field/Stakeholder review: ☒ Yes ☐ No

If yes, reviewed by:

Prior review of temporary rules and discussion of extensions of adoption assistance and guardianship assistance a Rule Advisory Committee and Child Welfare Policy Council.

Filing Instructions:

If you have any questions about this policy, contact:

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