Adoption Subsidy

Rhode Island Department of Children, Youth and Families
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The adoption subsidy program provides financial and medical assistance to make adoption possible for special needs children awaiting adoption in the custody of the Department or, under certain circumstances, a non-profit, private licensed child placing agency. Through the provision of adoption subsidy, children with special needs can be provided with permanent adoptive families and enjoy the benefits of family security, love and nurturing. Families adopting special needs children, who have previously been in foster care as a result of abuse and neglect, need and deserve support, including an array of services, to meet the challenges that special needs adoptions present.

The Adoption Assistance and Child Welfare Act of 1980 (PL 96-272) created the first federal adoption assistance program under Title IV-E. Eligibility for the federal adoption assistance program is linked to the previous criteria for eligibility for Aid to Families with Dependent Children (AFDC) and eligibility for Social Security Income (SSI) benefits, except for a child who meets the "applicable child" criteria in accordance with the Fostering Connections to Success and Increasing Adoptions Act of 2008 (PL 110-351). In efforts to increase the number of special needs adoptions, subsequent changes to federal law embodied in the Tax Reform Act of 1986 (PL 99-514) and the Adoption and Safe Families Act of 1997 (PL 105-89), provide additional financial incentives to states and adoptive parents. For the purposes of meeting the requirements of section 401(a) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PL 104-193), children must meet the definition of "qualified alien" to be eligible for adoption assistance. Children receiving adoption assistance pursuant to agreements signed before August 22, 1996 may continue to receive such assistance. Rhode Island General Law 15-7-25 also provides for a state funded adoption subsidy program for a child with special needs not eligible for the federal adoption assistance program.

A child must meet all of the following three requirements to be considered as a child with special needs and to be eligible for federal or state adoption assistance.

- A determination must be made that it is not in the child's best interest to return home.
- A specific factor or condition, which could make the child difficult to place in an adoptive family without adoption assistance, must be present or for an applicable child, the child may meet all of the medical or disability requirements for Supplemental Security Income (SSI).
- Reasonable efforts to place the child without adoption assistance must first be made, except in certain situations when a determination has been made by the Department that it is contrary to the child's best interests to be moved.

The prospective adoptive parent(s) of a special needs child must be informed by the assigned Family Service Unit (FSU) caseworker of the availability of adoption assistance for an eligible child. The DCYF Permanency Support Unit staff are available for consultation. The assigned Permanency Support Unit worker negotiates the subsidy provisions with the prospective adoptive parent(s). Post-adoption assistance may include an ongoing financial and medical subsidy and the funding of other expenses such as child care and respite services. The subsidy may involve financial assistance and Title XIX Medicaid coverage, or a medical subsidy only. Adoption assistance is also available for non-recurring expenses, which are one-time expenses, such as reasonable and necessary adoption related fees, court costs, attorney fees and other expenses directly related to the legal adoption of a child with special needs. These fees must be incurred by the adoptive parent, must not be reimbursed from other sources or funds and must not be incurred in violation of State or Federal law. Generally, adoption subsidy payments will terminate when a child reaches the age of eighteen (18). If the child has a severe, pre-existing physical,

mental or emotional disability or physical condition which is unlikely to change, the adoption assistance may be provided until the child is twenty-one (21) years of age.

The adoption subsidy is intended to supplement the resources of the adoptive family and the community and cannot exceed the amount the child would receive if he or she was residing in a Department foster home. The amount of the adoption assistance payment is determined through the discussion and negotiation process between the adoptive parent(s) and a representative of the Department based upon the needs of the child and the circumstances of the family. The payment that is agreed upon should combine with the resources of the parents to cover the ordinary and special needs of the child and other anticipated needs such as child care or respite. Anticipation and discussion of these needs are part of the negotiation of the amount of the adoption assistance payment. The terms of the adoption assistance agreement must be negotiated and agreed upon by the Department and the prospective adoptive parent(s) prior to the finalization of the adoption. A special needs child eligible for an adoption subsidy in Rhode Island will continue to receive a subsidy if the adoptive family moves to another state after the adoption is finalized.

The adoption assistance agreement must be recertified every two (2) years through the Permanency Support Unit. At any time during the life of the agreement, either the Department or the adoptive parent(s) may request an adjustment in the adoption subsidy payment. Some situations that may justify an adjustment to the adoption subsidy payment include: changes in the federal benefits, a change in the child's needs or the adoptive family's situation, the placement of the child in out of home care, the lack of availability of a program or a shortage of state or federal funds. It is the responsibility of the adoptive parent(s) to inform the Permanency Support Unit of any changes in circumstances that may affect the adoption subsidy payment, including address changes and notification if the adoptive parent(s) is no longer supporting the child. If the Department denies the adoptive parent's request for an increase in adoption subsidy or revokes, suspends, reduces, changes or terminates a subsidy payment or service, the adoptive parent has the right to request a fair hearing in accordance with DCYF Policy 100.0055 Complaints and Hearings.

The subsidy agreement represents the total contract between the adoptive parent(s) and the Department. If an adoptive parent has questions about the subsidy, the Permanency Support Unit is available to help the family, including assisting with referrals for community services.

Related Procedures

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Related Policies

Adoption
Complaints and Hearings
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Eligibility for Adoption Assistance/Subsidy

Procedure from Policy 700.0090: Adoption Subsidy

A. Identification of Special Needs - A child is considered to have special needs and to be eligible for federal or state adoption assistance if the child meets all of the following three (3) criteria:

1. A determination has been made that the child cannot or should not be returned to the parent's home.
2. A specific factor or condition, which could make the child difficult to place in an adoptive family without adoption assistance, must be present or for an applicable child, the child may meet all of the medical or disability requirements for SSI. Worker must document the specific factor that makes a child difficult to place. This may require written documentation from medical, mental health, educational or other professional. Such factors include:
    a. The child has a documented medical condition or a physical, emotional, or mental disability.
    b. The child is a member of an ethnic or racial minority.
    c. The child is over the age of nine (9).
    d. The child is a member of a sibling group being adopted into the same home as a sibling.
    e. The child has experienced a prior adoption disruption or dissolution.
    f. The child is at high risk of developing a medical condition or a physical, emotional or mental disability, based upon family background or history. (In this situation, a child may be eligible for deferred subsidy, which would include a medical subsidy without financial assistance. In the event a disability, based upon family background or history, is diagnosed in the future, the child may then be eligible to receive financial assistance.)
3. Reasonable efforts have been made without success to locate an adoptive home which does not require a subsidy.
    a. Worker must document reasonable efforts to place a child without subsidy. Such efforts include registering child with adoption exchanges, such as Adoption RI, and asking the adoptive parent(s) if they are willing to adopt without a subsidy.
    b. The only exception is if the Department determines that it is in the child's best interest to be adopted by a relative caretaker or foster care family who could not afford to adopt the child without subsidy (e.g., the child has resided in the home for a significant period of time and a significant parent/child relationship exists).

B. Title IV-E Eligibility for a Non-Applicable Child
1. Eligibility for Title IV-E Adoption Assistance exists when any of the following apply and the child meets the definition of "special needs" (Refer to Section A above).
    a. Child was eligible for Title IV-E at the time of initial placement, or would have been AFDC eligible and met all other eligibility criteria if application had been made.
    b. Child is deemed SSI eligible before the legal finalization of the adoption.
    c. Child is eligible as the child of a minor parent if the child meets all federal requirements.
    d. Child is eligible due to prior IV-E adoption assistance eligibility.
2. A Title IV-E Eligibility Technician will determine if a child is eligible for the federally funded Title IV-E Adoption Assistance Program. A child who is not eligible for federal funds may be eligible for a state-funded subsidy.

C. ~~Title IV-E Eligibility for an Applicable Child~~

1. ~~Eligibility for Title IV-E Adoption Assistance as an applicable child exists when any of the following apply and the child meets the definition of "special needs" (Refer to section A above).~~
    a. ~~Child meets the applicable age requirements.~~
        i. ~~The applicable age for a child begins at fourteen (14) years old in FFY 2011 and decreases by two (2) years for each fiscal year until a child of any age meets the applicable age requirements in FFY 2018.~~
        ii. ~~The child meets the requirements based on age if the child attains the applicable age anytime before the end of the fiscal year during which the adoption assistance agreement was entered into.~~
        iii. ~~Beginning October 1, 2017, the applicable child eligibility criteria will apply to children of all ages.~~
    b. ~~Child has been in foster care for at least sixty (60) consecutive months.~~
    c. ~~Child is a sibling of an applicable child by virtue of age or time in foster care and is placed in the same adoption arrangement as his or her sibling.~~
2. ~~An applicable child with special needs must also meet one of the four (4) following eligibility requirements.~~
    a. ~~The child, at the time of the initiation of adoption proceedings, was in the care of DCYF or licensed private child placement agency pursuant to:~~
        i. ~~An involuntary removal in accordance with a judicial determination to the effect that it was contrary to the child's welfare to remain in the home; or~~
        ii. ~~Child was placed through a voluntary agreement or voluntarily relinquished.~~
    b. ~~The child meets all medical and disability requirements of Title XVI with respect to eligibility for SSI benefits. An applicable child does not have to meet the needs based requirements for SSI.~~
    c. ~~The child was residing in a foster family home or child care institution with his/her minor parent and the minor parent was removed from home pursuant to either:~~
        i. ~~An involuntary removal in accordance with a judicial determination to the effect that it was contrary to the child's welfare to remain in the home; or~~
        ii. ~~A voluntary placement agreement or voluntary relinquishment.~~
    d. ~~The child was adopted and was determined eligible for Title IV-E adoption assistance in a prior adoption (or would have been found eligible had the Adoption and Safe Families Act of 1997 been in effect at the time of the previous adoption), and is available for adoption because the prior adoption has been dissolved or the child's adoptive parents~~
    ~~have died.~~
        i. ~~In such an instance the child may retain eligibility for adoption assistance payments in a subsequent adoption.~~
        ii. ~~The child must continue to meet the definition of a child with "special needs" (refer to Section A above).~~
3. ~~No payment (including non-recurring expenses) may be made to parents with respect to any applicable child for a fiscal year that the child:~~
    a. ~~Is not a citizen or resident of the United States.~~
    b. ~~Was adopted outside of the United States or was brought into the United States for the purpose of being adopted.~~

4. ~~A child that is not a citizen or resident of the United States and was adopted outside of the United States or brought into the United States for the purpose of being adopted may be eligible for adoption assistance payments if the initial~~

adoption of the child by parents is a failure and the child is subsequently placed into foster care.

D. Eligibility for Subsidy until Age Twenty-one (21)

1. A child is generally eligible for adoption subsidy until he or she reaches the age of eighteen (18).
2. A child with a severe, pre-existing physical, emotional or mental disability or physical condition that is unlikely to change may be eligible to receive adoption subsidy payments until age twenty-one (21).
    a. Worker must obtain documentation of severe physical, emotional or mental disability or physical condition.
    b. Documentation must be submitted for administrative review and approval with the request for adoption subsidy.

E. Inter-jurisdictional Adoptions

1. If a child in the custody of the Department is placed for adoption with a family in another state, it is the responsibility of the Department to process and fund the adoption subsidy. If a needed service specified in the agreement is not available in the new state of residence, the Department remains financially responsible to provide that service.
2. If a child is eligible for IV-E Adoption Assistance and moves out of state, the child will continue to receive a financial subsidy through RI, but is eligible to receive
   Federal Medicaid in the new state of residence.
3. If a child is receiving a state funded subsidy and moves out of state, the child will continue to receive a state funded financial subsidy and may qualify for Medicaid coverage in the new state of residence if the state participates in the COBRA Option and exercises reciprocity. If not, the child will continue to receive a medical subsidy funded by Rhode Island at RI's Medical Assistance rates.
    a. The Cobra Option (or State Option) was established by the Consolidated Omnibus Reconciliation Act of 1986 and provides for states to have the option to include non-IVE eligible children in their Medicaid programs.
    b. Reciprocity refers to states that are Cobra or State Option states that also agree to include in their Medicaid program children on subsidy from other states, for whom they are now the resident state, and who are not IVE eligible.

Types of Adoption Assistance/Subsidy

Procedure from Policy 700.0090: Adoption Subsidy

A. Financial Subsidy

1. The Foster Care Payment Assessment tool is used by the Permanency Support Unit worker to determine the maximum allowable rate that the child, based on his or her needs, would receive if the child was placed in a Department foster home.
2. If a child receives Supplemental Security Income (SSI), the Permanency Support Unit worker informs the prospective adoptive parent(s) that he/she may apply for, and, if eligible, receive SSI, adoption subsidy or both. SSI is an assistance program funded by the state and federal government based upon a child's disability according to established criteria and the income of the parent(s) if the child is living at home (see DCYF Policy 1000.0005 Social Security Benefits – SSI).
    a. The Permanency Support Unit worker contacts the Trust Account Unit in the Federal Benefits Office to gather information regarding the effects of the adoption finalization on the child's SSI benefits.
        i. A means test of the income of the prospective adoptive parent(s) will determine if the child's SSI benefits will be maintained, decreased, increased, or terminated after the adoption.
        ii. The prospective adoptive parent(s) cannot formally apply for SSI benefits for the child until the adoption is finalized.
    b. The Permanency Support Unit worker relays the SSI information to the adoptive parent(s).
        i. If the amount of SSI to be continued after the adoption exceeds the allowable amount of the adoption assistance, a child would be eligible for SSI equal to the difference between the child's Title IV-E Adoption Assistance payment and the SSI benefit.
        ii. If the IV-E Adoption Assistance exceeds the SSI standard, the adoptive parent(s) may choose to apply only for IV-E Adoption Assistance.
        iii. The subsidy amount is not affected by the child's post adoption eligibility for SSI benefits. The family informs Social Security Administration of the child's adoption assistance payment and
        the SSI benefit is adjusted for the receipt of adoption assistance.
3. If the child receives Social Security Administration (SSA) benefits or Veterans Administration (VA) benefits, the benefits accompany the child wherever he/she goes. The Permanency Support Unit worker must notify the adoptive parent(s) of the child's eligibility for these benefits. SSA benefits are provided for dependents and survivors of individuals who have earned sufficient credits during employment and who qualify for benefits. VA benefits are provided to children of a deceased, disabled, or retired qualifying veteran (see DCYF Policy 1000.0010 Social Security Benefits – SSA and DCYF Policy 1000.0015 VA Benefits).
    a. At the time of adoption, the Federal Benefits Unit will notify the Social Security Administration that the Department will no longer be payee for these benefits, which will be temporarily suspended pending application by the adoptive parent(s).
    b. The parties to the subsidy agreement understand that, to the extent that the child is eligible for SSA or Veteran benefits, the adoptive parent(s) will apply for representative payee status for the child. The amount of the subsidy will be reduced by the amount recouped by the adoptive parent(s) in such capacity. The adoptive parent(s), upon notification of

~~approval as representative payee agrees to notify the Department within ten (10) days of such approval, and of the amount of the payment. The adoptive parent(s) is also required to remit to the Department any~~

retroactive lump sum benefit payment received subsequent to the signing of the Subsidy Agreement.

4. The worker requests that prospective adoptive parent(s) sign a Release of Confidential Information included in the subsidy agreement to grant permission for the Department to release information to Social Security Administration or Veterans Administration in order to facilitate achievement of representative payee status for the child's benefits.

B. Medical Subsidy

1. Every child residing in Rhode Island for whom there is an adoption subsidy agreement in effect is eligible for Medical Assistance.
2. If the family has access to third party family medical coverage, the Permanency Support Unit worker informs the prospective adoptive parent(s) that the child must be included on the family's coverage if there is no additional cost to the adoptive family.
3. If the child's inclusion on the family's medical coverage would require an additional payment, the family may be referred to the Rhode Island Department of Human Services to determine eligibility for assistance with the additional health insurance premium.
4. If there is no third party family medical coverage for the child, the child's primary coverage will be through Medical Assistance.
5. Third party coverage, if available, must be utilized first. Medical Assistance will cover some expenses not covered by third party medical coverage; however, the provider must accept Rhode Island Medical Assistance rates.
6. Medical needs not covered by third party coverage or Medical Assistance may be subsidized if agreed upon and included in the agreement prior to the approval of adoption assistance. The Regional Director must approve all agreements of this type. The office of Management and Budgeting must also be notified to establish a protocol for payment.
7. For children who move out of state, please refer to procedure Eligibility for Adoption Assistance/Subsidy, section D. Inter-jurisdictional Adoptions.
8. If the adoptive parent(s) requests a medical subsidy only, the adoption subsidy agreement is entered into stating that the subsidy is for medical only. As long as an agreement exists that establishes a subsidy, other forms of adoption assistance can be provided in the future if the need arises.

C. Non-Recurring Expenses

1. The Department is required under federal law to make payments to adoptive families for non-recurring expenses incurred in the legal adoption of a child with special needs (refer to procedure Eligibility for Adoption Assistance/Subsidy, section A. Identification of Special Needs.)
2. Non-recurring expenses for which the Department may assume financial responsibility include reasonable and necessary adoption fees, court costs and attorney fees. Additional expenses associated with the adoption, such as travel and lodging costs necessary for adoptive parent(s) to participate in visitation, placement and finalization activities are also reimbursable costs, usually associated with interstate adoptions. Other reimbursable expenses associated most often with non-DCYF adoptions include agency fees for home studies, placement supervision and finalization services.
3. Fees must be incurred by the adoptive parent(s), must not be reimbursed from other sources or funds and must not be incurred in violation of State or Federal law.
4. The adoption subsidy agreement provides for a non-recurring expense payment of up to $400, which is the maximum allowable amount. The non-recurring expense request must be approved prior to the finalization of the adoption. The adoptive parent(s) is responsible for identifying the type(s) of non-recurring

expense(s) to be covered. The Permanency Support Unit worker must record each non-recurring expense in the subsidy agreement.

5. The adoptive parent(s) is responsible for submitting receipts and/or other documentation of the non-recurring expense to the Permanency Support Unit. An attorney may submit an itemized bill directly to the Permanency Support Unit for legal fees associated with the finalization of the adoption.
6. The Permanency Subsidy Coordinator will review the non-recurring expense request to ensure that the fees are appropriate and documented and, if approved, will authorize reimbursement directly to the adoptive parent(s) subsequent to the finalization of the adoption. In the case of legal fees, the attorney may be reimbursed directly via a funding request prepared by the Permanency Support Unit.
7. The Permanency Support Unit will track the amount disbursed for non-recurring expenses on a case-by-case basis, up to the maximum $400.00.
8. If the adoptive parent(s) is not requesting assistance for non-recurring expenses, this should be documented in the Adoption Subsidy Agreement.

D. Deferred Subsidy

1. A child at high risk of developing a medical condition or a physical, emotional or mental disability, based upon family background or history, may be eligible for a deferred subsidy.
2. High risk indicators for developing future problems related to a medical condition or a physical, emotional or mental disability include the following:
    a. Social and medical family history, such as, mental illness of biological parents or family.
    b. Traumatic events or life experiences such as severe sexual abuse.
    c. Prenatal exposure to drugs or alcohol.
3. For a child to be eligible to receive a deferred subsidy, an adoption subsidy agreement must be created, signed and approved prior to the finalization of the adoption. The specific background factor(s) or family history that might place the child at risk for future problems must be included in the adoption subsidy agreement.
    a. No monthly payment or child care assistance is initiated at the time of the adoption.
    b. The child is eligible for a medical subsidy only.
4. If the child later develops a medical condition or a physical, emotional or mental disability related to the specific pre-existing background factor, based upon family background or history, the adoptive parent(s) may make a written request for financial assistance. Documentation of the medical condition or disability must be provided to the Permanency Support Unit.
5. The Department is responsible to make a decision regarding the request within thirty (30) working days.
6. If the Department concurs with the request, a subsidy payment will be initiated. Payments will be retroactive to the date that the written request was received.

E. Other Post Adoption Services

1. Child Care Services
    a. If it is determined through pre-screening by the DCYF Permanency Support Unit that an adoptive family is likely to be eligible for child care assistance through the Rhode Island Department of Human Services (DHS), the adoptive family may be referred to DHS to apply for child care assistance. Eligibility for DHS child care services is based upon family income and the need for child care in accordance with the provisions of the Family Independence Act outlined in RIGL 40-5, 1-17.

b. ~~In the event an adoptive parent, who applies to DHS for child care assistance is not found eligible for services through DHS, the adoptive parent may apply~~

to DCYF for child care services for a child up to the age of six (6) as part of the adoption assistance. The adoptive parent must provide verification of denial of eligibility for child care services through DHS.

c. The Department will cover the cost of child care services when necessary under the following circumstances:
   i. The child is under the age of six (6).
   ii. The adoptive parents provide documentation of employment and proof that their hours of employment will not allow them to care for the child.

d. Child care services will be provided by a licensed child care provider, at (DHS) rates, up to the child's sixth birthday.

2. Child care, respite and other special services are included in the Adoption Subsidy Agreement.

3. Child care services, respite services or other special services are subject to review and re-authorization as part of the recertification process.

4. If an adoptive parent has questions regarding adoption assistance, the Permanency Support Unit is available to assist the family, including assisting with referrals for community services.

Adoption Assistance Application and Approval Process

Procedure from Policy 700.0090: Adoption Subsidy

A. FSU staff, in consultation with the Permanency Support Unit staff, determines that a child is eligible as a special needs child for an adoption subsidy.

B. A decision is made regarding the child's eligibility for Title IV-E Adoption Assistance.
   1. The Permanency Support Unit worker contacts a Title IV-E Eligibility Technician in the Federal Benefits Unit to determine if the child is eligible for Title IV-E adoption assistance and completes the IV-E eligibility information section in the Subsidy Agreement.
   2. After IV-E eligibility determination is made, the Permanency Support Unit worker will be able to accurately inform adoptive parent(s) about benefits the child is eligible to receive.

C. The Permanency Support Unit worker has a thorough discussion with the prospective adoptive parent(s) and then negotiates a rate with the adoptive family, based on the child's needs and the family's circumstances, up to, but not in excess of, the maximum allowable rate.
   1. If the adoptive parent(s) agrees to the amount negotiated, and this amount is less than or equal to the allowable amount, the worker proceeds with the subsidy request.
   2. If the adoptive parent(s) disagrees with the amount determined to be appropriate and if further negotiation is not an alternative, the adoptive parent(s) may request a hearing in accordance with DCYF Policy 100.0055 Complaints and Hearings.

D. The Permanency Support Unit worker completes the adoption subsidy text document (SM10a 133, DCYF #030) in RICHIST. If it is a direct consent adoption, the adoption subsidy text document (DCYF #030) located in New Office Documents is utilized.
   1. The Permanency Subsidy Coordinator reviews the subsidy to ensure compliance with state and federal guidelines.
   2. The Coordinator provides worker with comments and corrections.
   3. The Coordinator provides final approval for subsidy.

E. After the subsidy agreement has been approved by the Permanency Subsidy Coordinator, the worker contacts the adoptive parent to schedule a meeting to review and sign the subsidy agreement.

F. The adoption subsidy agreement, specifying the duration of the subsidy, must be approved and signed by the Permanency Subsidy Coordinator and the adoptive parent(s) prior to the adoption finalization and before adoption assistance payments can be made.

G. The signed adoption subsidy agreement is distributed as follows:
   1. The original is included in the subsidy record in the Permanency Support Unit.
   2. The adoptive family is provided with one complete copy of the subsidy for their records.
   3. A copy of the subsidy is forwarded to the FSU worker.
      a. The subsidy document is included in the packet submitted for administrative approval to the Regional Director (refer to DCYF Policy 700.0085, Adoption).
      b. A copy of the subsidy is incorporated into the child's adoption case record.

c. ~~A copy of the subsidy is forwarded to the Federal Benefits Unit and included in the Title IV-E record.~~

H. ~~If the subsidy is denied in total or in part, the adoptive parent(s) may request a hearing in accordance with Department procedure for Complaints and Hearings (see DCYF Policy 100.0055 Complaints and Hearings). The Permanency Subsidy Coordinator provides the rationale for denial and written notification is sent to prospective adoptive parent(s).~~

Recertification, Adjustment and Termination of Adoption Assistance/Subsidy

Procedure from Policy 700.0090: Adoption Subsidy

A. Recertification Process

1. The Permanency Subsidy Coordinator in the Permanency Support Unit completes the recertification of adoption assistance every two (2) years subsequent to the adoption finalization.
2. Approximately eight (8) weeks prior to the recertification date,, the Recertification of Subsidized Adoption form (DCYF #097) and cover letter are sent to adoptive parents for purposes of documenting whether or not there is a change in the needs of the child or the circumstances of the adoptive family.
    a. Designated staff person logs the date the DCYF #097 is sent to adoptive parent(s).
    b. Adoptive parent(s) is asked to respond by the date provided on the cover letter.
    c. Upon return of the DCYF #097, the document is included in the adoption subsidy record.
    d. If the Permanency Support Unit receives no response within thirty (30) days, a second letter (DCYF #097A) and recertification form is sent to adoptive parent(s).
    e. In the case of a State funded adoption subsidy, if there is no response within thirty (30) days of the second correspondence, a letter is sent by the Coordinator to adoptive parent(s) informing them that adoption assistance will be suspended.
    f. The Permanency Subsidy Coordinator indicates any subsidy changes in RICHIST.
3. The purpose of the recertification process is to review whether the adoptive parent(s) continues to be legally responsible for the support of the child and continues to support the child.

B. Adjustment to the Adoption Assistance

1. At any time during the term of the Adoption Subsidy Agreement, either the Department or the adoptive parent(s) may request an adjustment in the adoption subsidy payment. Some situations that may justify an increase or decrease in the adoption subsidy payment or services include:
    a. Changes in SSA or VA benefits - The Department will be reimbursed if parent(s) receives retroactive lump sum payment after adoption as outlined in adoption subsidy agreement.
    b. A change in the adoptive family's situation (including an increase in family income or availability of funds).
    c. A request for an increase in amount of adoption assistance by adoptive parent(s) up to the amount the child would receive in a Department foster care home.
    d. When an adopted child is placed in out of home care, the Department will review and may negotiate a reduction in payment for the duration of an adopted child's placement in out of home care.
    e. A shortage of state or federal funds.
    f. A lack of availability of a program.
2. In the event the adoptive parent requests an increase in the adoption subsidy payment, the adoptive parent is responsible to document the changes in the needs of the child or the circumstances of the adoptive family to support the request for an increase in the adoption subsidy payment not to exceed the limits set forth in DCYF policy.

3. The Department has the right to approve or deny the request by the adoptive parents to increase the adoption subsidy payment.
4. In the event the Department denies a request to increase the adoption subsidy payment, the adoptive parent(s) has a right to request a fair hearing pursuant to the Department's procedure for Complaints and Hearings (see DCYF Policy 100.0055 Complaints and Hearings).
5. The Department has the right to initiate a request to decrease the adoption subsidy payment at any time during the term of the subsidy agreement.
6. Adoption assistance payments for a child who is IV-E eligible may be reduced with the concurrence of the adoptive parent(s).
7. The provision of state funded services, including state funded adoption subsidy payments, is subject to DCYF review and approval every two (2) years.
8. In the event the Department suspends or revokes the award of a state funded service, including a state funded adoption subsidy payment, the Department provides the adoptive parent with written notice of its determination of the suspension or revocation of said service.
9. In the event, the Department revokes or suspends a state funded service as referenced above, the adoptive parent has a right to request a fair hearing pursuant to the Department's procedure for Complaints and Hearings (see DCYF Policy 100.0055 Complaints and Hearings).
10. The Permanency Support Unit is responsible to negotiate with the adoptive parent any adjustment to the adoption subsidy payment.

C. Termination of Adoption Assistance

1. Termination will occur in any of the following circumstances:
   a. Upon the Adoptive Parent's request.
   b. Child has attained the age of eighteen (18) or twenty-one (21) if subsidy is so authorized.
   c. Adoptive parents are no longer legally responsible for child due to:
      i. Child entering military service
      ii. Emancipation of child
      iii. Termination of parental rights
      iv. Marriage or death of child
   d. Department determines adoptive parent is no longer providing support for child.
   e. Upon the death of the adoptive parents of the child (one in a single parent family and both in a two-parent family).
2. The Department's obligation to provide for state funded adoption subsidy payments and/or services is subject to the appropriation of funds. Federal IV-E funded Adoption Subsidy Agreements may be subject to reduction in the event that the Department institutes an across the board reduction in the foster care maintenance rate.
3. Upon termination of adoption subsidy, the Adoption Subsidy record is closed in RICHIST and the hard copy subsidy record is forwarded to the DCYF Record Center and incorporated into the adoptive family's permanent case record.