



Administrative Policies and Procedures: 15.14

Subject:	Adoption Assistance Case File Contents
Authority:	TCA 36-1-102(4); 36-1-201-206; 37-5-105(3), 37-5-106; RDA 2368; P.L.110-351, Fostering Connections to Success and Increasing Adoptions Act of 2008
Standards:	DCS Practice Standards: 2-102A, 2-104, 2-600; COA: PA-RPM 7.01, PA-RPM 7.02, PA-RPM 7.03, PA-RPM 7.04, PA-RPM 7.05
Application:	To All Department of Children's Services Adoption Staff and Tennessee Licensed Child Placing Agency Staff.

Policy Statement:

Adoption Assistance case files include complete information about a child's eligibility for Adoption Assistance applications, agreements, revisions, supporting documentation and case closures.

Purpose:

To ensure Adoption Assistance case files are uniformly compiled and contain pertinent and supporting documentation.

Procedures:

A. Case file organization	Adoption Assistance case file style and maintenance is uniform for active Adoption Assistance case files (refer to Protocol For Adoption Assistance Case File Contents).
B. Initial application	The following adoption forms and supporting documentation for initial Adoption Assistance requests are permanently maintained in the case file: <ol style="list-style-type: none"> 1. CS-0930, Application for Adoption Assistance; 2. CS-0513, Adoption Assistance Agreement; 3. CS-0460, Intent to Adopt Placement Agreement; 4. CS-0461, Adoption Assistance Agreements Applied for Prior to October 1, 1997; and 5. Former CS-0460, Application for Adoption Assistance (or other retired forms if applicable at time of initial contract development, utilized prior to October 1, 1997: CS-4290, Adoption Assistance Agreement, CS-4280,

	<p><i>Application for Adoption Assistance and CS-0970, Adoptive Placement Agreement Between the Tennessee Department of Children’s Services and Prospective Adoptive Parents).</i></p>
<p>C. Initial supporting documentation</p>	<ol style="list-style-type: none"> 1. Cost of non-recurring adoption expenses is required when these expenses are included in the agreement. 2. Documentation of conditions or high risk factors for which a child is approved for Adoption Assistance. If the child is under current treatment, documentation of current diagnosis and prognosis is obtained from the treating physician, psychologist or licensed clinical social worker. 3. When there is no current treatment or diagnosis, but the child has high risk factors that indicate there may be a future need for treatment (e.g., an abused child who needs future counseling, etc.), initial documentation reflects the identified risk factors and their causes.
<p>D. Special or Extraordinary Adoption Assistance initial approvals</p>	<ol style="list-style-type: none"> 1. Special or Extraordinary Adoption Assistance rates are reserved for children whose needs are so unique and/or extensive that they cannot be met at a regular Adoption Assistance rate. 2. The Adoption Assistance case file contains the following forms and documentation to support approvals of Special or Extraordinary Adoption Assistance Rates, as applicable: <ol style="list-style-type: none"> a) CS-0562, Request for Negotiated Board Rate (retired form); b) Central Office/Regional Extraordinary Rate Approval; - c) CS-0674, Special or Extraordinary Rate Request, Foster Care Approval in place ninety (90) days prior to the approval of the Adoption Assistance rate if the child is placed in a DCS resource home and CS-0674, Special or Extraordinary Rate Request, Adoption Assistance Approval. Requests are submitted by the Permanency Specialist/FSW and approved by the designated Central Office Program Supervisor; d) If the DCS Foster Care Extraordinary rate has not been in place for at least ninety (90) days prior to the approval of an Extraordinary Adoption Assistance rate (only for children placed in DCS resource homes) a Ninety (90) Day Waiver from the Director of Foster Care and Adoption or designee is required; and e) CS-0934, Special or Extraordinary Adoption Assistance Rate Justification, <u>and</u> supporting documentation from licensed physician, psychologist, licensed mental health professional, or treatment provider.
<p>E. Revisions in Adoption Assistance</p>	<ol style="list-style-type: none"> 1. Revision of the Adoption Assistance agreement may be requested any time a significant change occurs in the child’s circumstances. The adoptive parents or DCS initiates a revision to determine whether the child may qualify for a different Adoption Assistance rate. 2. Revisions of Adoption Assistance rates are submitted on forms, CS-0461, Adoption Assistance Agreements Applied for Prior to October 1, 1997 or

	<p>CS-0513, Adoption Assistance Agreement.</p> <ol style="list-style-type: none"> 3. Forms CS-0686, Notice of Denial, Termination, or Change in Adoption Assistance and CS-0403, Appeal for Fair Hearing, are sent to the adoptive parent(s) any time a change occurs. 4. Each revision includes supporting documentation. The Adoption or Private Provider staff files the revision and supporting documentation in the Adoption Assistance case file.
<p>F. Supporting documentation for revisions of Adoption Assistance</p>	<ol style="list-style-type: none"> 1. When benefits from SSA, or VA are received, a copy of the award letter is placed in the Adoption Assistance case file. 2. When a child reenters state custody, written documentation regarding the adoptive parents' continuing financial support is included in the Adoption Assistance case file. The amount and type of support (includes some financial support) is clearly documented in the Adoption Assistance case file (refer to <u>Protocol for Adoption Assistance When Children Re-enter Care</u> and form CS-0936, Adoption Assistance Renegotiations). 3. When a child/youth receiving Title IV-E Adoption Assistance reaches the age of 18, documentation regarding the child/youth's continuing handicapping condition is included in the case file in order for the case to remain open. Documentation that verifies the handicapping condition is obtained at renewal until the child/youth turns 21 and the case is closed. Form CS-0792, Review of Eligibility for Adoption Assistance for Child/Youth Turning 18, 19, and 20 Years Old, is included in the file. 4. When a child/youth reaches the age of 18 and is receiving <i>Title IV-E Fostering Connections Adoption Assistance</i>, Adoption Assistance can be extended until age 21 if the child/youth is completing and is enrolled full-time in secondary school, GED or an equivalency program. Documentation of the child/youth's full-time school attendance is obtained yearly and maintained in the Adoption Assistance case file. 5. State-funded children adopted before October 1, 1997, can continue to receive Adoption Assistance as long as they attend any accredited school full time. Yearly documentation of school attendance is required. Place documentation in the Adoption Assistance case file. 6. State-funded children adopted on or after October 1, 1997, through February 29, 2008, can receive Adoption Assistance as long as they are in high school full time. Annual documentation of school attendance is required. Place documentation in the Adoption Assistance case file. 7. For children adopted on or after March 1, 2008, who have state-funded Adoption Assistance and remain in high school full time, Adoption Assistance ends at high school graduation or age 19, whichever event occurs first. Annual documentation of school attendance is required. Place documentation in the Adoption Assistance case file.

	<p>8. Maintain required documentation in the Adoption Assistance case file regardless of whether the Adoption Assistance funding source is through Title IV-E or state funds.</p>
<p>G. Adoption Assistance Renewals</p>	<p>Adoption Assistance is renewed periodically to ensure that the child/youth remains eligible for Adoption Assistance. The items listed below are maintained in the Adoption Assistance case file for each renewal, as appropriate:</p> <ol style="list-style-type: none"> 1. A renewal memorandum; 2. A notarized copy of form CS-0459, Adoption Assistance Renewal Affidavit; 3. Proof of Address; 4. Verification of Full-Time School Attendance; 5. Form CS-0934, Special or Extraordinary Adoption Assistance Rate Justification; or 6. Supporting documentation for a Special or Extraordinary Adoption Assistance rate; 7. Form CS-0790, Review of Adoption Assistance Rate for Child Turning Three Years Old; 8. Form CS-0792, Review of Eligibility for Adoption Assistance for Child/ Youth Turning 18, 19, and 20 Years Old; and 8. Follow-up letters to parents who do not return signed renewal agreements in a timely manner and documentation that the letter was sent certified mail, including the returned receipt.
<p>H. Supporting documentation for renewals</p>	<ol style="list-style-type: none"> 1. Obtain documentation supporting any Adoption Assistance renewal at the time of renewal. Place the documentation in the Adoption Assistance case file. 2. Obtain documentation from a licensed provider that verifies or confirms that the permanent condition continues to exist.
<p>I. Termination of Adoption Assistance</p>	<p>When and after an Adoption Assistance case is terminated, the following documentation is maintained in the case file:</p> <ol style="list-style-type: none"> 1. Notification to parents of Adoption Assistance termination and appeal rights; forms CS-0686, Notice of Denial, Termination, or Change in Adoption Assistance and CS-0403, Appeal for Fair Hearing. 2. Form CS-0513, Adoption Assistance Agreement indicating the date the agreement was terminated.

J. Required signatures	All forms include appropriate signatures as required by the form instructions.
K. On-going quality assurance of Adoption Assistance case files	Review Adoption Assistance case files at least quarterly for quality assurance.

Forms:	<p><u>CS-0403 Appeal For Fair Hearing</u></p> <p><u>CS-0459, Subsidy Renewal Affidavit</u></p> <p><u>CS-0460, Intent to Adopt Placement Agreement</u></p> <p><u>CS-0461, Adoption Assistance Agreements Applied for Prior to October 1, 1997</u></p> <p><u>CS-0513, Adoption Assistance Agreement</u></p> <p><u>CS-0674, Special or Extraordinary Rate Request</u></p> <p><u>CS-0686, Notice of Denial, Termination or Change in Adoption Assistance</u></p> <p><u>CS-0668, Authorization of Release of Information and HIPAA protected Health Information to the to the Department of Children’s Services and Notification of Release</u></p> <p><u>CS-0790, Review of Adoption Assistance Rate for Child Turning Three Years Old</u></p> <p><u>CS-0792, Review of Eligibility for Adoption Assistance for Child/Youth Turning 18, 19, and 20 Years Old</u></p> <p><u>CS-0930, Application for Adoption Assistance</u></p> <p><u>CS-0934, Special or Extraordinary Rate Justification</u></p> <p><u>CS-0936 Adoption Assistance Renegotiations</u></p> <p><i>CS-0562, Request for Negotiated Board Rate (retired)</i></p> <p><i>CS-0970, Adoptive Placement Agreement Between the Tennessee Department of Children’s Services and Prospective Adoptive Parents (retired)</i></p> <p><i>CS-04280, Application for Adoption Assistance (retired)</i></p> <p><i>CS-4290, Adoption Assistance Agreement (retired)</i></p>
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Collateral Documents:	<p><u>Protocol for Adoption Assistance Case File Contents</u></p> <p><u>Protocol For Adoption Assistance When Children Re-Enter Care</u></p> <p><u>Policy 15.11, Adoption Assistance</u></p>
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Glossary:	
Handicapping Condition:	Known and diagnosed medical, mental, or emotional conditions that will require ongoing treatment or therapy of a medical or remedial nature.
Social Security Administration (SSA):	A Federal Initiative that provides monthly cash assistance payments to individuals or eligible children on behalf of a deceased parent that was eligible for Social Security Disability Income. The parent worked long enough to have paid Social Security taxes.
State Funded Adoption Assistance	A state funded program administered by the Department of Children’s Services for the maintenance of children who do not qualify for the federally funded Title IV-E Adoption Assistance program and are adopted in the State of Tennessee.
Veteran’s Affairs (VA):	A Federal Initiative that provides monthly cash assistance payments to eligible dependents of veterans who died in active duty, who died of service related injuries, or who were eligible for veteran’s disability payments.
Title IV-E:	A section of the Social Security Act that provides funding for the maintenance of children in foster care who meet certain Temporary Assistance for Needy Families (TANF) eligibility criteria and who meet certain legal requirements, e.g., best interests, reasonable efforts.
Fostering Connections to Success and Increasing Adoptions Act of 2008:	The Fostering Connections and Increasing Adoptions Act of 2008 (P.L.110-351), enacted on October 7, 2008, amended eligibility requirements for the Title IV-E Adoption Assistance program. The revised eligibility criteria will be phased in for specific children over a nine-year period beginning in Federal fiscal year (FFY) 2010. A child for whom the revised eligibility criteria apply is referred to as an “applicable child.
Applicable Child-Age:	The applicable age for a child begins at sixteen (16) years old in FFY 2010 and decreases by two years for each fiscal year until a child of any age meets the applicable age requirements in FFY 2018.
Applicable Child-Time in Foster Care:	Any child who has been in foster care for sixty (60) consecutive months beginning FFY 2010 is an applicable child by virtue of time in foster care.
Applicable Child-Sibling group:	Any child who is a sibling to an applicable child by virtue of age or time in foster care and is placed in the same adoption arrangement as his/her sibling.