



## Policy Attachment: 15.11

<b>Subject:</b>	<b>Protocol for Adoption Assistance When Children Re-enter Care</b>
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**Additional Information:**

### Overview

When a child who has been adopted is placed into state custody, a re-negotiation must be made as to the status of the Adoption Assistance payments. The adoptive family will be required to participate in the Child and Family Team discussion regarding the needs of the child and the family while the child is in custody as a part of the re-negotiation process. The goal of this discussion will be to ensure that continued adoption assistance payments are appropriate and the rates are based on current facts and circumstances.

### Notification of Adoptive Child Entering State Custody

1. In all cases, when a child who has been adopted enters state custody, the DCS staff (CPS, FSW, Court Liaison, or Intake) will complete the **Initial Intake Placement Referral and Checklist Form CS-0727** and mark the appropriate box "Receiving Adoption Assistance?"
2. DCS staff will forward copy of the **Initial Intake Placement Referral and Checklist Form CS-0727** (with other required documentation; i.e. court order reflecting reasonable efforts, etc) to CWBC to determine eligibility for IV-E foster care and to verify if the child is receiving adoption assistance.
3. If this is an AA case, CWBC will submit the **Initial Intake Placement Referral and Checklist Form CS-0727** to Adoption Assistance Designee, the Regional Fiscal Designee, and the Permanency Specialist in the region.
4. DCS staff entering child into the current child welfare information system will complete a Person Search to locate and link the appropriate Adoption Assistance case to the Foster Care custodial case.

### Re-negotiation during the CFTM

1. Adoption Assistance payments will continue without interruption until the first CFTM, but no later than ten (10 calendar) days after child enters state's custody.
2. The adoptive family is responsible for informing the Adoption Assistance Designee or Permanency Specialist when their child re-enters state custody and the re-negotiation will occur during the CFTM if at all possible.

3. The adoptive family must attend and participate in the CFTM. If the family refuses to attend or participate in the CFTM within ten (10) days, the adoption assistance payment will be adjusted to the .03/day for the child in that family until such time a meeting can be held to re-negotiate the rate.
4. The Permanency Specialist will attend the CFTM and assist the family in developing a plan for continuing support for their child. This plan should address the qualified needs of the child and the needs of the family. **Form CS-0936, Adoption Assistance Re-negotiation When Children Re-enter Custody** will be utilized to complete this process.
5. Under no circumstances shall extraordinary or special circumstance rates continue while the child is in state custody. These rates are intended for the unique daily care needs of the child. Therefore, with the child out of the home, the rates cannot be continued.
6. The re-negotiation of the adoption assistance between the adoptive parent and the Permanency Specialist will determine the extent to which the rate will be reduced and will be based on the qualified needs of the child and family. At no time, can the re-negotiated rate for adoption assistance exceed the basic foster care rate or the child's current adoption assistance rate, whichever is lower.
7. Upon agreement of the amount of the adoption assistance rate, the Permanency Specialist will complete a new contract with the adoptive parent and secure signatures during the CFTM.
8. If an agreement cannot be reached in the re-negotiation process, the Permanency Specialist and/or FSW will immediately notify the CWBC and/or regional attorney to request a child support referral be made in this case, if appropriate. The rate will be reduced to the current AA rate or basic foster care rate, whichever is lower and the family can appeal the reduction.

## **Monitoring and Quarterly Evaluation of Continuing Adoption Assistance Payments**

1. At least monthly, the adoption assistance cases will be validated against the current custodial cases to prevent duplication of payments to the same client. This will occur in central office.
2. The Permanency Specialist will send notification to the Central Office Adoption Unit when an adopted child re-enters custody. This notification will include the child's name, date of custody, the date of the CFTM, the previous adoption assistance rate, the re-negotiated rate and the reasons for the rate that was re-negotiated.
3. Central Office Adoption Unit will review the information represented and maintain a spreadsheet of the information.
4. At least quarterly, an evaluation of the parent's continuing support for reunification of the child will be conducted during the CFTM and will be re-adjusted if circumstances have changed (i.e. parent has failed to support child, child is placed on a trial home visit, etc.)

## **Dissolution of the Adoption**

In all cases in which an adoption dissolution occurs, the Adoption Assistance will be terminated effective the date of the dissolution.