

	GEORGIA DIVISION OF FAMILY AND CHILDREN SERVICES CHILD WELFARE POLICY MANUAL			
	Chapter:	(12) Adoption Assistance	Effective Date:	September 2018
	Policy Title:	Initiating Adoption Assistance Benefits		
Policy Number:	12.7	Previous Policy #:	109.11; 109.18	

CODES/REFERENCES

Title IV-E of the Social Security Act, Section 473(a) (1) (B) (i-ii)

REQUIREMENTS

The Division of Family and Children Services (DFCS) shall:

1. *Make payments for non-recurring adoption expenses incurred by or on behalf of the adoptive parents in connection with the adoption of a child with special needs, directly through DFCS or through another public or nonprofit private agency, in amounts determined through an agreement with the adoptive parents; and*
2. *In any case where the child meets the requirements of section 473(a) (2) of the Act, DFCS shall make adoption assistance payments to adoptive parents, directly through DFCS or through another public or nonprofit private agency, in amounts so determined through an adoption assistance agreement.*
3. Make arrangements for providing adoption assistance benefits after all parties have signed the adoption assistance agreement.
4. Ensure that the appropriate funding category is used for the payment of adoption assistance benefits.
5. Pay adoption assistance payments for eligible children out of either:
 - a. Federal (Title IV-E) funds; or
 - b. State funds.
6. Pay non-recurring adoption assistance benefits for eligible adoptive parent(s) out of non-recurring adoption assistance (state and federal funds).
7. Prepare the Georgia SHINES Post Adoption case record by including all case content requirements as outlined in policy [2.3 Information Management: Adoption Assistance Case Records](#) prior to transferring the PAD stage to the Regional Post Adoption Manager (PAD).

PROCEDURES

The Social Services Case Manager (SSCM) will:

1. Complete the Adoption Assistance Memorandum after reviewing and signing the adoption assistance agreement:
 - a. Print the Georgia SHINES generated Adoption Assistance Memorandum indicating the adoption assistance rate and effective date.
NOTE: Private/independent adoptions approved for monthly or non-recurring only adoption assistance must provide verification of the adoption finalization (adoption decree) before adoption assistance benefits will be initiated.

- b. Attach to the Adoption Assistance Memorandum the required documents for the Regional Accounting Office to initiate adoption assistance payments and obtain the Social Services Supervisor's signature of approval:
 - i. For a child approved for state funded adoption assistance benefits, for the required documents, see Field Fiscal Services COSTAR Manual Section [3004 Adoptions: 508 Title IV-B Adoption Assistance \(State Funding Only\)](#);
 - ii. For a child approved for IV-E adoption assistance benefits, for required documentation, see Field Fiscal Services COSTAR Manual Section [3004 Adoptions: 509 Title IV-E – Adoption Assistance \(Federal Funding\)](#); and
 - iii. For a child approved for non-recurring only adoption assistance benefits, for required documentation, see Field Fiscal Services COSTAR Manual Section [3004 Adoptions: 510 Title IV-E – Non-recurring Adoption Assistance \(Federal and State Funding\)](#).
 - c. Provide a copy of the approved Adoption Assistance Memorandum and the attached documents to the following and document in Georgia SHINES the information has been provided and the method (email, fax, confirmations, etc.):
 - i. Regional Accounting Office;
 - ii. Social Services Administration Unit (SSAU); and
 - iii. Revenue Maximization Unit (Rev Max).
2. Following adoption finalization, in Georgia SHINES:
- a. Make a copy of the documents listed in the Post Approval Adoption Assistance – Case Content Requirements section of policy [2.3 Information Management: Adoption Assistance Case Records](#).

NOTE: Information required to establish the adoption assistance case record must be copied and maintained for uploading to Georgia SHINES External Documentation following the creation of the PAD stage. Access to case information in the ADO stage in Georgia SHINES following closure is not permitted.
 - b. Stage progress the ADO stage to the PAD;

NOTE: Some cases may already be in the PAD stage. If the ADO stage cannot be stage progressed to PAD within 30 days of adoption finalization, the Adoption Assistance Memorandum must be generated and printed from the ADO stage and again when the PAD stage is opened.
 - c. Enter the adoption finalization date in the legal tab in the PAD stage;
 - d. Ensure the placement resource in the placement tab is current in PAD and FAD stages; and
 - e. Upload the documents listed in the Post Approval Adoption Assistance – Case Content Requirements section of policy [2.3 Information Management: Adoption Assistance Case Records](#) into External Documentation in the PAD stage.
 - f. Notify the following departments of the finalization date and the child's post adoption name by sending the Adoption Assistance Memorandum via email or fax to:
 - i. Regional Accounting Office;
 - ii. Social Services Administration Unit (SSAU); and
 - iii. Revenue Maximization Unit (Rev Max).

NOTE: A copy of the adoption finalization court order should be sent with the Adoption Assistance Memorandum to Rev Max, who will initiate adoption assistance Medicaid.

3. Verify the first adoption assistance monthly benefit payment has been made to the adoptive parent(s) and non-recurring adoption assistance benefits have been paid in the PAD stage in Georgia SHINES.
4. For non-recurring only cases, following payment prepare the PAD stage for closure by uploading all outstanding information into Georgia SHINES External Documentation. For a list of case content requirements see policy [2.3 Information Management: Adoption Assistance Case Records](#).
5. Transfer the PAD stage to the PAD Supervisor in Georgia SHINES for review and assignment to the designated PAD Manager.

PRACTICE GUIDANCE

Once all parties, including the Director/Designee, have signed the adoption assistant agreement, the county department shall make arrangements for providing payments directly to the adoptive family. The beginning of the adoption assistance payments depends upon the factors below:

1. Foster Parent Adoption or Adoption Legal Risk - Receiving Foster Care Payments:
A foster parent(s) or adoption legal risk parent(s) who is adopting a child for whom he/she has been receiving foster care payments may begin to receive adoption assistance payments during the month in which the adoption assistance agreement is signed; however, the foster care and adoption assistance payments will be pro-rated to avoid overlapping payments.
2. In DFCS-Involved Transfers of Custody for the purpose of adoption:
 - a. Adoption assistance payments may be received for the entire month in which the adoption assistance agreement is fully signed, even if the adoption assistance agreement is signed at a date other than the first of the month.
 - b. The adoption assistance agreement and initiation of payments may occur at the time of adoptive placement, after the child is placed into the permanent legal custody of the specified relative/individual for the purpose of adoption, as indicated in the court order.
3. Relative/Individual Adoption- Receiving Relative Care Subsidy, Enhanced Relative Care Subsidy, Subsidized Guardianship, or Enhanced Subsidized Guardianship:
In cases where a relative/individual is adopting a child for whom he/she is receiving payments through Relative Care Subsidy, Enhanced Relative Care Subsidy, Subsidized Guardianship, or Enhanced Subsidized Guardianship, adoption assistance payments may not begin during the same month as these subsidies. In these cases, the start date for the subsidy may not be sooner than the first day of the month following the last payment of relative care or guardianship subsidy.
4. Private/Independent adoptions:
The adoption assistance payments shall not begin until:
 - a. The finalization of the adoption has occurred; and
 - b. Verification of finalization of the adoption is obtained by the Social Services Case Manager.

Adoption (Private/Independent)

There are four types of adoption/independent adoptions:

1. Non-Relative (Third Party) - Adoption of a child usually arranged by an attorney, physician, or other individual with the direct involvement of the biological parents; if the

child or adoptive parents reside in another state, the provisions of the Interstate Compact on the Placement of Children must be followed.

2. Relative - Adoption of a child by a relative as defined by any relation by blood, marriage or adoption.
3. Step-Parent - Adoption of a child by the spouse of one of the birth/legal parents where the other birth/legal parent is deceased or his/her parental rights have been terminated either voluntarily or by court action.
4. Confirming Adoption (Domestication of Foreign Decree) - Adoption of a child who has already been adopted in a foreign country. The purpose being to secure a decree in the United States, which entitles the child to a Georgia birth certificate.

Adoption Assistance Agreement

This is a legal and binding agreement between the agency and the pre-adoptive parent(s) regarding adoption assistance benefits. It establishes types, duration, amount(s) of benefits, and other agreed upon stipulations. A fully executed adoption assistance agreement refers to an adoption assistance agreement that was negotiated with the adoptive parent(s); reviewed and discussed with the adoptive parent(s); and all required signatures (adoptive parent(s), County Director/Designee and authorized department representative) and dates obtained.

DFCS-Involved Transfer of Custody for the Purpose of Adoption

Refers to a child who was either:

1. Placed from the temporary custody of DFCS into the permanent custody of a specified relative/individual "for the purpose of adoption" at a DFCS-initiated TPR Hearing where all parental rights were terminated; or
2. Placed directly from the permanent custody of DFCS (where all parental rights have been terminated) into the permanent custody of a specified relative/individual "for the purpose of adoption" as specifically indicated by the court order at a DFCS-initiated court hearing.

Non-recurring Adoption Assistance (State and Federal Funds) – UAS CODE - 510

Program Description – To provide reimbursement to the adoptive parent or direct payment to the vendor providing service for one-time expenses related to the finalization of the adoption of a child with special needs. Total reimbursements shall not exceed \$1,500.00 for a child whose special needs determination was completed after July 1, 2009. No payments will be made to the adoptive parent(s) or vendor(s) prior to the finalization of the adoption. Payments may only be made up to two years following finalization. Allowable expenses include:

1. Court costs and/or attorney fees;
2. Cost of physicals for adopting parent(s); and
3. Payment for pre-placement visits costs (travel, food and lodging) incurred during the pre-placement adoption period.

NOTE: Non-recurring benefits may be paid either to the adoptive parent(s) or to the provider/attorney, but the adoptive parent(s) must give prior written approval using the Non-Recurring Parental Authorization form for any direct payment to any of the above third parties.

Title IV-E Adoption Assistance (Federal Funds) UAS CODE – 509

Program Description: To provide financial assistance for a child at the point of placement in the adoptive home and beyond the finalization of the adoption. A direct money payment is made to the adoptive family in the form of a monthly supplement. The child must be

determined IV-E eligible by the REV MAX unit and special needs by the AAAU prior to the use of funds. Title IV-E Eligibility (UAS 509) is only to age 18.

State Funded Adoption Assistance UAS CODE - 508

Program Description: To provide financial assistance for a child at the point of placement in the adoptive home and beyond the finalization of the adoption. A direct money payment is made to the adoptive family in the form of a monthly supplement. State-funded adoption assistance is provided to a child who has been determined to have special needs and placed on adoptive status while in the permanent custody of DFCS. A child must have been determined ineligible for Title IV-E funds (UAS 509). Eligibility is to age 18 or 21, depending upon the youth meeting the eligibility criteria for children after age 18 (see policy [12.10 Adoption Assistance Benefits - After 18](#)).

FORMS AND TOOLS

[Authorization by Adoptive Parent for Payment of Non-Recurring Funds Directly to a Third Party](#)
[Authorization by Adoptive Parent for Payment of Non-Recurring Funds Directly to a Third Party \(Spanish\)](#)
[W-9](#)