

ADOPTION SUPPORT PROGRAM TIPSHEET

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1) The Adoption Support Program

The Adoption Support Program concerns a contractual relationship between DCYF and adoptive caregivers wherein DCYF agrees to provide post-adoption resources for medical coverage; counseling; selected evidence-based therapeutic interventions; and, if agreed upon, a monthly cash payment to assist the adoptive parents in meeting the needs of the child(ren) they are adopting.

Monthly cash payments or maintenance is not guaranteed. The prospective adoptive parents must negotiate for these payments. DCYF takes into consideration the special needs of a child; the circumstances of the family; and the statutory maximums imposed on adoption support subsidies. The maximum maintenance rate is established in RCW 74.13A.047 (2)(a) and is calculated against DCYF's foster care reimbursement rate for licensed caregivers (see chart below). The maximum maintenance rates for adoption support subsidies are as follows:

Age 0-4: For a child under the age of five, no more than eighty percent ($\leq 80\%$) of the foster care maintenance payment for that child had the child remained in a licensed foster home during the same period.

Age 5-9: For a child aged five through nine, no more than ninety percent ($\leq 90\%$) of the foster care maintenance payment for that child had the child remained in a licensed foster home during the same period.

Age 10-18: For a child aged ten through eighteen¹, no more than ninety-five percent ($\leq 95\%$) of the foster care maintenance payment for that child had the child remained in a licensed foster home during the same period.

2) How Adoption Support Maintenance Amounts Are Calculated

If caregivers can articulate special medical, physical, or emotional needs of the child or circumstances of the family that necessitate monthly cash payments to assist the caregiver in meeting the needs of the child, the maintenance rate will be calculated as a percentage of what the placement, if currently licensed, is receiving as part of their foster care maintenance payment OR, for unlicensed caregivers, what the placement would be receiving in foster care maintenance if the placement were licensed.

There are four tiers of foster care maintenance based on the child's age and the varying degrees of physical, mental, behavioral, or emotional conditions that may require increased

¹ The adoption support agreement ends once a child turns 18 unless the child is attending a full-time education program working toward a high school diploma or GED/high school equivalency certificate

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effort, care, or supervision that are above the needs of a typically developing child. The rates are as follows:

AGE OF CHILD	BASIC	LEVEL II (includes Basic Rate)	LEVEL III (includes Basic Rate)	LEVEL IV (includes Basic Rate)
0 to 5 years	\$672.00	\$849.92	\$1,195.51	\$1,474.30
6 to 11 Years	\$796.00	\$973.92	\$1,319.51	\$1,598.30
12 & Older	\$810.00	\$987.92	\$1,333.51	\$1,621.30

3) Special Considerations for Unlicensed Caregivers

Unlicensed caregivers should already be receiving monthly cash assistance through the Temporary Assistance for Needy Families (TANF) grant *regardless of their actual financial need*. This grant offers monthly cash payments that are significantly lower than what the family would be receiving if the caregivers were licensed. Unlicensed caregivers should therefore request that a foster care rate assessment be conducted on the child(ren) in their care to determine the appropriate maximum subsidy amount they can be negotiating for. It could be that, in a licensed home, a child would qualify at a level II or III. While this will not change how much the caregiver receives in TANF, it will impact the amounts that can be negotiated as part of the adoption support subsidy: it is the rate at which a child is assessed through the foster care reimbursement rate assessment that determines the baseline figure against which adoption support subsidy percentages are calculated, not TANF.

4) Special Considerations for Licensed Caregivers

Licensed caregivers have a right to have their foster care reimbursement rate reassessed where they believe the current assessment is incorrect and needs to be reviewed. Licensed caregivers may wish to request a reassessment of the foster care reimbursement rate prior to negotiating adoption support to ensure that the child is assessed at the appropriate rate. The licensed caregiver should also take care to ensure that the child is receiving the appropriate base rate based on the child's age. (For example, a child who is 5 years old but then turns 6 is entitled to a higher base rate. The rate increase may not automatically occur on DCYF's end, however.)

5) Negotiating Adoption Support Subsidies

There is no entitlement to cash payments in the adoption support program. This effectively means that a family can be offered \$0 in adoption support subsidy, even where they were receiving money prior to the adoption. Caregivers will therefore need to be prepared to advocate for cash payments and negotiate the rate.

a) Adoption support agreements can be renegotiated at any time.

(i) Caregivers may want to make the request for renegotiating in writing and

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keep copies of the request. They may also consider sending any documents that must be mailed by certified mail to maintain a paper trail.

- (ii) Caregivers may indicate if there is a change in family circumstance that affects the adoption subsidy (e.g. divorce; loss of job/income; substantial reduction in salary; etc.)
- (iii) Caregivers may wish to document any changes or developments regarding the special needs and functioning of the child (e.g. a new medical or mental health diagnosis).

b) Caregivers are often surprised to learn that daycare costs, in and of themselves, are not a qualifying expense in adoption support subsidies. Caregivers often find that listing daycare costs as an expense that needs to be covered by the adoption support is a fruitless endeavor. However, the financial impact that daycare expenses impose may be considered in the family's over all financial circumstances.

- c) Caregivers often choose to have DCYF make the first offer, having the adoption support social worker explain in detail the basis for their offer and identifying where there are gaps in their assessment.

Example: the worker might argue that any of the special needs the child has are medical in nature and can be covered through Medicaid, therefore no cash assistance is necessary. Caregivers might point out that such rationale does not take into account the money that goes into driving a child to their various medical appointments or the wages lost by taking time off of work to ensure the child's medical care needs are being met.

- d) DCYF cannot offer more than the statutorily prescribed maximum. However, caregivers may be able to negotiate "frontloading" payments over a certain time period to meet a time-limited financial need.

Example: The child is 3 years old and assessed at a base rate. The state has agreed that the family should receive the maximum maintenance amount of \$537/month (\$672 x 80%). The family will require the child to be in daycare until the child starts Kindergarten in two years. DCYF has been paying for the cost of daycare and once the child is adopted, the financial burden of daycare will shift wholly to the caregivers. The family could negotiate for an agreement that stipulates that for the next two years, the monthly maintenance payment will be \$1,075/mo (double the agreed rate) and for the two years after that the monthly maintenance payment be \$0, to help offset the financial burden of daycare.

- e) Caregivers may ask for the maximum rate that the child qualifies for by documenting all of the child's needs (especially any medical or behavioral health diagnoses) and what

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goes into caring for the child. These needs, of course, don't change just because the child is adopted!

- f) Caregivers are often careful to list out expenses and are mindful of expenses that might not seem so obvious.

Example: a set of grandparents were having a difficult time keeping up with their extremely energetic grandson. They bought a dog that the boy could run around and play with in the backyard to burn off extra energy. The grandparents immediately noticed an improvement in the boy's sleep and overall mood, his emotional outbursts greatly reduced. The expense of maintaining the dog (food, routine veterinary care) was listed as an expense associated with meeting the special needs of their grandson.

- g) This process can be fraught. Caregivers, especially relatives, might be afraid of looking "greedy" or worry about appearing not fully committed to caring for this child or simply money-motivated. The truth is, prospective adoptive parents are providing an invaluable "service" to the Department by providing permanency to these children (even more so in cases where a sibling group or otherwise "difficult to place" children are being adopted) and should be treated with respect. If an adoption support worker is rude, dismissive, combative, or applying undue pressure to accept an offer the state has made, the caregiver may ask to speak to their supervisor. The caregiver may need to continue "going up the chain" until they are satisfied with the quality of response the Department is providing.
- h) Some caregivers may feel they do not "need" the money while others understand that there is no downside to asking for and receiving cash assistance and some potential benefit beyond what the cash itself provides. For example, these maintenance payments could be set aside in a savings account for the child or squirreled away for some future, unforeseen need. Furthermore, if the circumstances of the child or the family changes down the line, it could be more difficult for the family to negotiate maintenance payments were there were none before. (In other words, caregivers may find it harder to negotiate from a precedent of \$0 than \$500.)

6) Reasons Finalizing an Adoption Support Agreement May Be Postponed

There may be times where, as a strategic matter, a slight delay in achieving permanency could be of financial benefit:

If the child will soon turn an age that bumps them up to a higher rate eligibility: For example, once a child turns 5, they become eligible to receive up to 90% of the foster care reimbursement rate (whereas children 0-4 can only receive up to 80%). Once a child turns 6, they become eligible for a higher base rate under the foster care reimbursement schedule, which will impact the maximum amount they can receive in adoption support subsidy. The same is true of ages 10 (95% statutory maximum, up from 90%) and 12 (higher base rate).

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If the child will soon turn 13 years old: Children adopted after age 13 can file the Free Application for Federal Student Aid application (FAFSA) as an “independent student”. Independent students only need to provide financial information based on their own income, not the income of their parents. Income for most children applying for college generally falls at or below poverty level making child eligible for grants and scholarships. If the child is married at the time of applying however, they will need to also provide their spouse's financial information.

If the child will soon turn 16 years old: They may be eligible for Extended Adoption Support. Adoption support may be extended to age 21 for youth adopted after age 16 and prior to their 18th birthday. The child is also likely to be eligible for grants and scholarships (see above). Eligibility requirements include continued participation towards education; being engaged in employment for 80 hours or more a month; or participating in a job training or program designed to remove barriers to employment.