

DATE 08-09-2018

CHANGE NOTICE

CWS-CN-02-18

MANUAL: **CHAPTER XIII: CHILD WELFARE FUNDING MANUAL**

CHANGE NO: **CWS-CN-02-18**

ATTENTION: CHILD WELFARE DIRECTORS, PROGRAM ADMINISTRATORS,
MANAGERS, SUPERVISORS, AND SOCIAL WORKERS

RE: **Revision to Chapter XIII: Child Welfare Funding Manual, Section
1600- Adoption**

EFFECTIVE DATE: **Immediately**

INTENT:

The Child Welfare Funding Manual has been updated to incorporate the changes needed in response to the Family First Prevention Services Act, to clarify certain areas of policy, and other language and formatting updates. Revisions made to the policy are in red font.

SPECIFIC CHANGES

Several changes in Section 1600 – Adoption Assistance occurred throughout the manual. Language changes and reformatting that do not affect the actual document have been made in order to maintain consistency across manuals. Language was added in several Subsections of the Adoption Assistance Manual related to the Fostering Connections to Success and Increasing Adoptions Act extending adoption assistance benefits to include eligibility requirements, extension of benefits even if they were not in effect at the time the adoption was finalized, and grounds for termination to extended adoption assistance benefits.

Changes that are specific to subsections of the manual are as follows:

- Subsection I. Introduction - Identification of county responsibility for adoption benefits for children in the custody of a local child welfare agency or private child-placing agency.
- Subsection II. Title IV-E Adoption Assistance
 - Language related to the Family First Prevention Services Act that delayed the full implementation of the revised eligibility criteria until July 1, 2024. Until that time, the revised eligibility requirements for an “applicable” child will apply only to those children are who or will be two years of age or older in the current Federal Fiscal Year. This change was retroactive to January 1, 2018.

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CHANGE NOTICE

CWS-CN-02-18

- Clarification of the local county agency's responsibility to make payments of nonrecurring adoption and/or adoption assistance payments on behalf of a child who meets the requirements for eligibility.
 - Consolidation of three-part special need criteria for all children.
 - Clarification regarding what events meet the requirement that the child cannot or should not be returned to the home of the parents.
 - Revision to policy to specific to background check requirements including a check of the child abuse and neglect registry (Responsible Individuals List) and a fingerprint based criminal records check.
- Subsection IV: State Adoption Assistance Eligibility – Clarification regarding the termination of this program for any new adoptions finalized on or after October 1, 2011 and the appeals process for children who should have been assessed for benefits at the time the adoption was being finalized.
 - Subsection V. Payment Issues
 - Clarification that any payments in excess of the monthly graduated rates are all county funds unless the child has been approved for additional payments through HIV funds or Special Children Adoption Incentive Funds.
 - Revision to policy outlining the guidelines for retroactive payments.
 - Subsection VI. Adoption Assistance Agreement
 - Addition of language regarding county responsibility for adoption assistance benefits received without the agreement being signed by all parties prior to the finalization of the adoption until a valid agreement can be obtained through a fair hearing.
 - Addition of language allowing Adoption Assistance Agreements to be updated at any time after the adoption has been finalized in situations where the adoptive parent marries and a stepparent adoption occurs.
 - Revision of policy regarding adoption assistance benefits when a child receiving benefits is placed in the custody of a local child welfare agency.
 - Subsection VII. Interstate Issues – Addition of language related to interstate procedures and an update to an address and form number.
 - Subsection XI. SSI and IV-E – Addition of policy regarding the appeal process for adoptive parents who initially decline adoption assistance benefits.
 - Subsection XII. Vendor Payments to Medical or Therapeutic Providers – Addition of keying deadlines for vendor payments.

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CWS-CN-02-18

- Subsection XIV. Documentation and Periodic Reviews – Clarification regarding the requirement for yearly notices to adoptive parents and the adoptive parents' responsibility to keep the agency informed of any changes in circumstances that would impact benefits.
- Subsection XV. Adoption Assistance Case Record – Addition of verification of safety checks and documents establishing eligibility has been met as content of the child's adoption assistance case file.
- Subsection XVI. Adoption Assistance Appeals – Clarification regarding the completion of an Adoption Assistance Agreement following a successful appeal.
- Subsection XIX. Corrections Between Funding Sources – Clarification in policy regarding receipt of adoption assistance benefits received without the agreement being signed by all parties prior to the finalization of the adoption.
- Subsection XX. Criminal Records Checks – Prohibition of the central registry being used as the child abuse and neglect registry and use of Title IV-E funds until a fingerprint based criminal check and RIL check have been conducted.
- Subsection XXI. Working with Private Agencies – Clarification regarding the responsibilities of private child placing agencies and local child welfare agencies in determining adoption assistance eligibility for children in the custody of private agencies.
- Subsection XXIII. School Attendance – Addition of language prohibiting local child welfare agencies from terminating adoption assistance benefits when a child of compulsory age is not enrolled as a full-time student.

INSTRUCTIONS

- Chapter XIII: Child Welfare Funding Manual, Section 1600 has been revised to include changes in response to the Family First Prevention Services Act as well as clarification and updates to existing policy. The DSS-5012 and DSS-5013 have also been revised to reflect these changes.

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OBSOLETE	USE
NORTH CAROLINA DIVISION OF SOCIAL SERVICES	NORTH CAROLINA DIVISION OF SOCIAL SERVICES
CHILDREN'S SERVICES MANUAL	CHILDREN'S SERVICES MANUAL
Chapter XIII: Child Welfare Funding Manual	Chapter XIII: Child Welfare Funding Manual
Section 1600: Adoption Assistance Payments	Section 1600: Adoption Assistance Payments
Adoption Assistance Checklist -DSS 5012	Adoption Assistance Checklist -DSS 5012
Adoption Assistance Agreement – DSS 5013	Adoption Assistance Agreement – DSS 5013

Sincerely,



Lisa T. Cauley

Deputy Director

Attachments:

Chapter XIII: Child Welfare Funding Manual Section 1600

DSS-5012 – Adoption Assistance Eligibility Checklist

DSS-5013 - Adoption Assistance Agreement

Cc: Wayne Black, Division Director of Social Services