



Administrative Policies and Procedures: 15.14

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| 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 Licensed Child Placing Agency Staff. |
| Policy Statement: | |
| Adoption Assistance case files include information about a child's initial and continued eligibility for Adoption Assistance program for subsidies paid at any rate. | |
| 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 | <ol style="list-style-type: none"> 1. The following adoption forms and supporting documentation for initial Adoption Assistance requests should be permanently maintained in the hard copy case file as of 3/1/2008. 2. As of 1/1/2014, all Adoption Assistance forms and supporting documentation below will be included and maintained in the hard copy Adoption Assistance case file as well as uploaded to the TFACTS subsidy record. <ol style="list-style-type: none"> a. CS-0930, Application for Adoption Assistance, b. CS-0513, Adoption Assistance Agreement, <ul style="list-style-type: none"> ◆ In instances where the initial Adoption Assistance Agreement is not included in the subsidy file, subsequent AA agreements or renewal affidavits in the case file shall serve as the agreement between the |

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| | <p>adoptive parent and DCS</p> <p>c. CS-0460, Intent to adopt Placement Agreement,</p> <p>d. CS-0461, Adoption Assistance Agreements Applied for Prior to October 1, 1997; and</p> <ul style="list-style-type: none"> ◆ In instances where the initial Adoption Assistance Agreement is not included in the subsidy file, subsequent AA agreements or renewal affidavits in the case file shall serve as the agreement between the adoptive parent and DCS <p>e. 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, Application for Adoption Assistance and CS-0970, Adoptive Placement Agreement Between the Tennessee Department of Children’s Services and Prospective Adoptive Parents).</p> <p>f. Documentation to support the special needs factors that made the child eligible for the Adoption Assistance program for Adoption Assistance cases made effective on or after 1/1/2014. Prior to 1/1/2014, the information in the initial Application for Adoption Assistance can be used to support the special needs factors which made the child eligible for adoption assistance.</p> <p>g. Final Decree of Adoption for Adoption Assistance cases made effective on or after 3/1/2008. Prior to 3/1/2008, the Final Decree of Adoption was not required to be included in the hard copy adoption assistance case file. This document may or may not be in the files for cases made effective prior to this date, but was mandated as a required document until on or after 3/1/2008.</p> <p>h. Court Order that led to the child’s removal from the home and resulted in the child ‘s custody being transferred to the Department of Children’s Services for cases determined eligible for Adoption Assistance on or after 7/1/2014. For Adoption Assistance cases made effective prior to 7/1/2014, the Court Order that led to the child’s removal will be maintained in the Child Welfare Benefits Foster Care Eligibility file.</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, licensed professional. 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. |

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| <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-0674, Special or Extraordinary Rate Request, <u>Foster Care Approval</u> in place ninety (90) days prior to the approval of the Adoption Assistance rate if the child is placed in a DCS resource home, b) 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 c) CS-0934, Special or Extraordinary Rate Justification, <u>and/or</u> supporting documentation from the treating, licensed professional. |
| <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. The information or forms listed below should be completed and included in the adoption assistance file when there is a revision made to the adoption Assistance Agreement. 2. Forms, CS-0461, Adoption Assistance Agreements Applied for Prior to October 1, 1997 or CS-0513, Adoption Assistance Agreement. 3. Forms CS-0686, Notice of Denial, Termination, or Change in Adoption Assistance 4. Form CS-0403, Appeal for Fair Hearing 5. Supporting Documentation <ul style="list-style-type: none"> ◆ Verification of Full Time School Attendance, if applicable for youth 18 or older ◆ SSA, VA, SSI verification, if applicable ◆ Documentation to support the special or extraordinary rate approval 6. Form CS-0674, Special or Extraordinary Rate Request, if applicable, for revisions approved for special or extraordinary rates, effective on or after July 1, 2012. Form CS-0674 was not required to be included in the subsidy file for revisions or renewals of adoption assistance agreement prior to this date. 7. Form CS-0934, Special or Extraordinary Rate Justification on and/or Supporting Documentation, if applicable 8. Form, CS-0936, Adoption Assistance Renegotiation, if applicable for AA cases made effective on or after March 1, 2008. 9. Form, CS-0792, Review of Eligibility for Adoption Assistance for Child/Youth Turning 18, 19, or 20. As of January 1, 2014, form CS-0792 is no longer required to be included in the Adoption Assistance case file. |

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| <p>F. Adoption Assistance Renewals</p> | <p>State Funded Adoption Assistance agreements are renewed periodically to ensure that the child/youth remains eligible for the Adoption Assistance program. The items listed below should be 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, Subsidy Renewal Affidavit; 3. CS-0513 Adoption Assistance Agreement, if applicable 4. Proof of Address; 5. Verification of Full-Time School Attendance; if applicable 6. Form CS-0934, Special or Extraordinary Rate Justification; if applicable 7. Supporting documentation for a Special or Extraordinary Adoption Assistance rate; if applicable 8. Form CS-0674 Special or Extraordinary Rate Request for cases finalized on or after 7/1/2012, if applicable |
| <p>G. Termination of Adoption Assistance</p> | <p>When 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. |
| <p>H. Required signatures</p> | <p>All forms include appropriate signatures as required by the form instructions.</p> |
| <p>I. On-going quality assurance of Adoption Assistance case files</p> | <p>Adoption Assistance case files will be reviewed at least quarterly for quality assurance.</p> |

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| 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>CS-0562, Request for Negotiated Board Rate (retired)</p> <p>CS-0970, Adoptive Placement Agreement Between the Tennessee Department of Children's Services and Prospective Adoptive Parents (retired)</p> <p>CS-0428, Application for Adoption Assistance (retired)</p> <p>CS-4290, Adoption Assistance Agreement (retired)</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) 2011. 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 fourteen (14) years old in FFY 2011 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 2011 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. |