

Does the adoptive family have the right to appeal an adoption subsidy decision?

Should the county children and youth agency **deny, discontinue, or modify**, an agreement, an appeal can be filed with:

**Department of Public Welfare
Bureau of Hearings and Appeals
2330 Vartan Way, 2nd floor
Harrisburg, PA 17110**

Telephone (717) 783-3950

If the parents are dissatisfied with a county agency decision relating to adoption assistance, they may file an appeal **in writing within 15 calendar days** of receiving **written** notice of an adverse decision from a county agency.

Effective July 1, 2009, through the Fostering Adoption to Further Student Achievement Act of 2007, a youth adopted from foster care on or after her 13th birthday can apply to technical schools or colleges as an “independent student.” When applying for grants or other financial aid, only the student’s income (not the parents) is counted.



Together as Adoptive Parents, Inc. (TAP) is a non-profit, multi-racial adoptive parent group based in the Delaware Valley. Most of TAP’s members have adopted children with special needs from the foster care system.

Our mission is to provide a support network among adoptive parents, to disseminate information and implement programs, which promote the well being of children, adoptive, foster and kinship families.

For more information about subsidy in Pennsylvania or any other support for adoptive, foster and, kinship families visit our web site at www.taplink.org or call us at (215) 256-0669

For more Subsidy information contact:

Phyllis Stevens (215) 256-0669 taplink@comcast.net

OR

Sherry Anderson

Three Rivers Adoption Council (412) 471-8722

sanderson@3riversadopt.org

North American Council on Adoptable Children

info@nacac.org

THE PENNSYLVANIA ADOPTION ASSISTANCE PROGRAM



**Together As Adoptive
Parents Inc.**

**Providing support, guidance,
and information to the
adoption, foster, and
kinship community.**

www.taplink.org

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What is Adoption Assistance?

Adoption Assistance is a program that provides the financial assistance that enables families to manage the physical, emotional, and/or mental disabilities, which these children often have. Without such assistance, the needed medical, psychological or educational services might otherwise rapidly drain a family's financial resources.

Who is eligible?

In a word, all children with special needs are potentially eligible for Adoption Assistance.

What determines the child's eligibility?

In order to qualify for Adoption Assistance, a waiting child must meet **one** of the following requirements:

- ✓ A physical, mental or emotional condition or handicap.
- ✓ A genetic condition which indicates a high risk of developing a disease or handicap.
- ✓ Be a member of a minority group.
- ✓ Be a member of a sibling group that is placed together.
- ✓ Be 5 years of age or older.

The child must be legally free for adoption and in the legal custody of a county children and youth agency or another agency approved by the state, in order to be eligible for adoption subsidy.



What are the categories of Assistance?

Nonrecurring Adoption Expenses are responsible and necessary costs which are directly related to the legal adoption of a child with special needs. Such as; home studies fees travel for pre-adoptive visits, court costs, and attorney fees needed to complete the adoption process. The limit for all finalization expenses, including legal costs, is \$2000. All expenses must be documented.

Maintenance Payments are monthly cash payments intended to help defer the costs of providing food, clothing, medical expenses, and other incidental expenses associated with child rearing. These payments may not exceed the amount the county would pay if the child remained in foster care. It is not considered income and is non-taxable.

Medical Assistance cards are issued in the name of the adopted child. The card entitles the child to any benefit that would be available under the Pennsylvania Medical Assistance Program.

Can an agency use criteria, such as state median income adjusted for the family size or a sliding income scale, in determining the potential adoptive family's eligibility for adoption assistance?

No, federal regulations (45 CFR 1356.40 (c)) prohibit use of a means test in determining eligibility for adoption assistance. In addition, the State **cannot** arbitrarily reject a request for an increase in the amount of subsidy (up to the amount the child would have received in foster care) in cases where the adoptive parents make life choices such as resigning one's job to stay at home with the adopted child or to return to school.

Notifying Prospective Adoptive Parents about Adoption Assistance.

The State title IV/B/IV-E agency is required to actively seek ways to promote the adoption assistance program (45 CFR 1356.40(f)) This mean it is incumbent upon the State agency to notify prospective adoptive parents about the availability of adoption assistance for the adoption of a child with special needs.