**NOTIFICATION OF DECISION RELATED TO ADOPTION ASSISTANCE - INSTRUCTIONS**

The **Notification of Decision Related to Adoption Assistance** form is to be sent whenever the decision has been made to deny or terminate adoption assistance benefits. The Notification should be sent by certified mail within 5 days of the decision. The Notification informs adoptive parents of the type of denial/termination and the reason(s) for denial/termination. It also informs adoptive parents of their right to appeal the decision through a Fair Hearing request. The notification may also be sent via e-mail, but not by e-mail alone.

**ADDRESS FIELD:**

1. Enter the date that the notification is being sent to the adoptive parent(s). This date should be within 5 business days of the decision being made regarding adoption assistance benefits.
2. Enter the name, street address, and city/state/zip code of the adoptive parent(s).
3. Enter the name of the child affected by the decision. More than one child can be entered on the same form if the decision and reasons for decision are the same for all of the children. Otherwise, a separate form will be required.

**CONTENT OF NOTIFICATION LETTER:** The form contains 1) a check box next to a paragraph containing the type of adoption assistance being denied and the reasons for denial, 2) a check box next to a paragraph containing information about Deferred Adoption Assistance, 3) a check box next to a paragraph containing the effective date of termination and the reasons for termination of adoption assistance for a child/youth, and 4) a check box next to a paragraph containing the effective date of termination and the reasons for termination of adoption assistance based on a child/youth not meeting the criteria for “over age 18” adoption assistance.

1. **For Notification of Denial of Adoption Assistance Benefits, the Social Services Case Manager (SSCM) will:**

**When monthly adoption assistance is denied for a child in DFCS custody**, check the first check box next to the denial paragraph; then select “monthly adoption assistance” in the first drop down box as the type of adoption assistance being denied; then select “does not meet special needs criteria” as the reason for denial. Children in DFCS custody do not have to meet Title IV-E criteria to be eligible for adoption assistance, except when the plan is to transfer custody from DFCS to a specified relative or individual for the purpose of adoption.

Check the second check box next to the paragraph regarding deferred adoption assistance only when there is a denial of adoption assistance for a child/youth in a DFCS-involved adoption (child/youth who is in DFCS custody or who is to be transferred from DFCS custody to the custody of a specified relative or individual for the purpose of adoption). It explains that the adoptive parent will be offered the option to sign a Deferred Adoption Assistance Agreement at the time of adoptive placement (prior to adoption finalization). This enables the adoptive parent to reapply for adoption assistance in the future, should the child develop a physical, mental or emotional disability as verified by a licensed physician or psychologist.

**If monthly adoption assistance is denied for a private, non-DFCS adoption**, check the first check box next to the denial paragraph; then select “monthly adoption assistance” in the first drop down box as the type of adoption assistance being denied; then select “does not meet special needs criteria” or “does not meet federal IV-E criteria” or “other” as the reason for denial. Further explanation can be provided in “additional comments.” Since this child is not in DFCS custody and the child must meet federal IV-E adoption assistance criteria, the denial reason may be due to either special needs or IV-E criteria not being met. Another possible reason for denial would be when someone applies for adoption assistance AFTER an adoption has been finalized**.** Do not check the second check box next to the paragraph regarding deferred adoption assistance, as there is no deferred adoption assistance for private, non-DFCS adoptions.

**If non-recurring only adoption assistance is denied**, check the first check box next to the denial paragraph; then select “non-recurring only adoption assistance” in the first drop-down box as the type of adoption assistance being denied; then select “does not meet special needs criteria” or “other” as the denial reason. Non-recurring only adoption assistance is usually applied for when monthly adoption assistance has been denied in a private, non-DFCS adoption due to the child not being IV-E eligible. Non-recurring only adoption assistance is most often denied when a child is not deemed special needs or when an application is made after adoption finalization. Do not check the second check box next to the paragraph regarding deferred adoption assistance, as there is no deferred adoption assistance for private, non-DFCS adoptions.

**If the denial is for an adoption assistance rate increase request**, check the first check box next to the denial paragraph; then select “adoption assistance rate increase request” in the first drop down menu, and select the denial reason as “other” and provide more information in the additional comments section at the bottom of the form. Examples of reasons for denial of a rate increase may include, “the adoption assistance rate cannot be increased or it will exceed the rate the child received in foster care, which would be out of line with state policy” or “the child’s needs or family circumstances have not been deemed to require additional adoption assistance funds at this time.”

1. **For Notification of Termination of Adoption Assistance Benefits for a child/youth, the Social Services Case Manager (SSCM) will:**

Check the third check box to indicate termination of adoption assistance benefits for a child/youth. Note: do not check this box when terminating based on “over age 18” policy;

Choose the end/termination date in the first drop down box. The termination date should be the end of the month in which the termination reason is effective. In the second drop down box, choose the reason for termination of benefits.

Adoption assistance shall continue until the end of the month in which the youth turns age 18, unless prior to that time the adoptive parent requests it be terminated or the adoptive parent is determined by the Department no longer to be legally responsible or otherwise supportive of the child. Legal support ends when the parental rights are terminated or the child marries, enlists in the military, or dies. Other support includes financial support provided for the care of the child.

1. **For Notification of Termination of Adoption Assistance Benefits for a child/youth based on “over age 18” policy, the Social Services Case Manager (SSCM) will:**

Check the fourth check box to indicate termination of adoption assistance benefits for a youth who does not meet “over age 18” policy criteria/requirements; then choose the end/termination date in the first drop down box. The termination date should be the end of the month in which the youth turns age 18 if the youth is not eligible past 18. Otherwise, the end date shall be the last day of the month in which other eligibility requirements are not met. In the second drop down box, choose from the reasons listed, which include not meeting the basic eligibility requirements for adoption assistance beyond age 18; lack of legal or financial support; not meeting education-related requirements, etc.

**CONTACT INFORMATION:**

In the last paragraph, the DFCS representative will indicate the phone number and e-mail address which the adoptive parent may utilize should there be questions or concerns. This paragraph also provides the adoptive parent with information about Fair Hearing requests.

At the end of the Notification form, the DFCS representative will:

1. Sign the Notification Form
2. Type his/her name
3. Enter his/her DFCS Region
4. Enter mailing address information