

MICHIGAN'S ADOPTION ASSISTANCE PROGRAMS

Information for Prospective Adoptive Parents



**Michigan Department of
Health and Human Services (MDHHS)
Adoption and Guardianship Assistance Office (AGAO)**

INTRODUCTION

Michigan has three adoption assistance programs to assist families who adopt eligible children from the Michigan foster care system, up to age 18. The programs are funded by both federal and state funds and provide financial assistance including:

- **Adoption Assistance** - a monthly payment to assist with the expenses of raising an eligible child. Medicaid may be available for children who receive Adoption Assistance.
- **Non-recurring Adoption Expenses** - reimbursement to adoptive parents up to \$2,000 for specific expenses related to the adoption of a child.
- **Adoption Medical Subsidy** - reimbursement of approved expenses related to physical, mental, or emotional conditions that existed, or the cause of which existed, prior to adoption.

Based on each individual child's circumstances, one or more of these benefits may be available to support the child's adoption. The adoptive family's income does not affect eligibility for these programs.

ELIGIBILITY

Adoption Assistance

In order to qualify for adoption assistance, a child must meet the state's eligibility criteria. The requirements include:

1. The child is legally free for adoption through termination of parental rights.
2. The child meets at least one of the following Michigan Special Needs Criteria:
 - Children age 3 and older.
 - Children with higher medical or mental health needs, documented by an approved determination of care (DOC) level II, medically fragile level II or higher, or severe emotional disturbance waiver (SEDW) foster care rate.
 - Children eligible for Supplemental Security Income (SSI).

- The child is being adopted by a relative, defined by MCL 712A.13a.
 - The child is being adopted by the parents of their previously adopted sibling.
 - The child is a member of a sibling group being adopted together and at least one sibling group member has been determined eligible for adoption assistance as an individual.
 - The child has an active guardianship assistance agreement through MDHHS at the time the adoption assistance application is submitted.
3. A reasonable effort has been made to place the child for adoption without adoption assistance.¹

¹ See 42 USC 673 for federal Title IV-E funding requirements.

Adoption Medical Subsidy

In order to qualify for adoption medical subsidy, a child must meet the following eligibility criteria:

- The child was in Michigan foster care at the time the petition for adoption was filed.
- The child has a physical, mental or emotional condition that existed, or the cause of which existed, before the adoption.

APPLICATION PROCESS

All prospective adoptive parents of children in the state's care have an opportunity to request adoption assistance. Eligibility for all adoption assistance programs is determined by the MDHHS Adoption and Guardianship Assistance Office (AGAO). When a prospective adoptive parent requests adoption assistance, their adoption worker completes and submits the application(s) on behalf of the child.

Time Frames

- **Adoption Assistance/Non-recurring Adoption Expenses** - In Michigan, the application, eligibility determination and signing of the negotiated agreement takes place before the

petition for adoption is filed. If this does not occur, a child's eligibility for adoption assistance must be determined and a negotiated agreement must be signed by the adoptive parent(s) and the MDHHS designee before the final order of adoption is signed by the court or the child will be ineligible.

- **Adoption Medical Subsidy** - Adoption medical subsidy can be applied for and eligibility determined either before or after the adoption. Following an adoption, the adoptive parent(s) submit the DHS-1341-A, Parent's Application For Adoptive Medical Subsidy for an Adopted Child, directly to the AGAO. This program allows for additional conditions when the condition, or cause of the condition, existed before the adoption petition was filed. A new medical subsidy agreement must be finalized prior to the child's 18th birthday.

After a complete application has been submitted, the AGAO will make a determination of eligibility and send a response to the adoption worker and/or adoptive parent. The response will include a legal agreement for all approved programs, or a denial and appeal information.

ADOPTION ASSISTANCE PAYMENTS

The Adoption Assistance maximum daily rate is based on the foster care rate the child received, or would have received, in a foster home or paid relative placement prior to adoption. The ongoing daily adoption assistance rate is negotiated between the adoptive parents and a department representative, up to the maximum daily rate. The ongoing daily rate is agreed to by the adoptive parent(s) and based on the circumstances of the adoptive family and the needs of the child being adopted. The adoptive parent(s) may request renegotiation of the adoption assistance rate when extraordinary circumstances occur that will impact the child's needs or family circumstances for an extended period or time. The renegotiated rate may not exceed the maximum rate set prior to the final order of adoption.

Non-Recurring Adoption Expenses provides reimbursement for children who have been

approved for non-recurring expense by the AGAO. The adoption worker and adoptive parent(s) complete the DHS-4815, Non-Recurring Adoption Expenses Claim form, and submit it to the AGAO. The claim form must be submitted within two years from the final order of adoption date. Reimbursement checks are mailed directly to adoptive parents or their designated third party.

Adoption Medical Subsidy provides reimbursement of approved expenses related to condition(s) certified by the AGAO that are listed on the medical subsidy agreement. Payment for services after the effective date of coverage may be made after the child's medical subsidy agreement is signed and the child is placed for adoption.

Medical Subsidy:

- Services must be pre-approved by the AGAO.
- Requires all other private and public sources of payment (private health insurance, Medicaid, Children's Special Health Care Services, etc.) to be exhausted before payment from the medical subsidy program will be authorized.
- May not cover 100 percent of costs.
- Does not pay for routine medical care.
- Does not pay for services prior to the effective date of the agreement.

MORE INFORMATION

Federal and State Laws

Michigan has both federal (title IV-E) and state-funded adoption assistance programs. The title IV-E program provides funding for title IV-E adoption assistance and non-recurring adoption expenses. The program is administered under Federal law 42 USC 673. The state-funded adoption assistance and the adoption medical subsidy programs are administered under Michigan laws MCL 400.115 f-m.

Appeals

Adoptive parents may appeal MDHHS decisions regarding adoption assistance eligibility or amounts by requesting an administrative hearing within 90 days of a negative action or determination. A family files an appeal by writing to the AGAO. The family may choose to have an attorney or other person represent them at the administrative hearing.

Federal Tax Credit

Families adopting a child from Michigan's foster care system may be eligible for a federal tax credit. Additional information is available from the Internal Revenue Service (www.irs.gov).

Note: This brochure contains general information only. For more information, prospective adoptive parents should direct questions first to their adoption worker and/or the adoption supervisor and adoptive parents should direct questions to their assigned AGAO ongoing analyst. Specific adoption assistance policies are available to the public at www.michigan.gov/mdhhs. The AGAO is located at:

The Michigan Department of Health and Human Services will not exclude from participation in, deny benefits of, or discriminate against any individual or group because of race, sex, religion, age, national origin, color, height, weight, marital status, partisan considerations, or a disability or genetic information that is unrelated to the person's eligibility.