

DEPARTMENT OF HEALTH AND HUMAN SERVICES  
DIVISION OF SOCIAL SERVICES

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April 25, 2018

**DEAR COUNTY DIRECTORS OF SOCIAL SERVICES**

**DEAR EXECUTIVE DIRECTORS OF ADOPTION CHILD PLACING AGENCIES**

**ATTENTION: STAFF RESPONSIBLE FOR DETERMINING ADOPTION ASSISTANCE  
ELIGIBILITY**

**SUBJECT: CHANGES TO TITLE IV-E ADOPTION ASSISTANCE ELIGIBILITY**

**PRIORITY: URGENT; FOR IMMEDIATE REVIEW**

This letter provides information to child welfare agencies and private child placing agencies on recent, retroactive changes to adoption assistance because of Public Law (P.L.) 115-123 that was signed into law on February 9, 2018. This law includes the Family First Prevention Services Act (FFPSA) and creates optional prevention funding under title IV-E, places title IV-E payment limits on child care institutions, reauthorizes the Adoption Incentives Program, and delays the phase-in of applicable child requirements for adoption assistance.

Effective January 1, 2018, the full implementation of the title IV-E adoption assistance provisions that no longer utilizes the Aid to Families with Dependent Children (AFDC) connectedness as a path to eligibility is delayed until June 30, 2024. This means that the "applicable child" requirements will only apply to children who will reach at least age two by the end of the federal fiscal year their adoption assistance agreement is entered from January 1, 2018 until June 30, 2024.

Any child who will not reach age two by the end of the federal fiscal year (September 30<sup>th</sup>) the adoption assistance agreement is entered must meet the three-part special needs requirements and also meet one of the other eligibility criteria for a "non-applicable child" listed below:

- 1) the child must meet the eligibility requirements for AFDC at the time of removal to include removal from a specified relative and removal by a judicial determination of contrary to the welfare finding or a title IV-E foster care payment was made for a child who entered care by a voluntary placement agreement (VPA), or

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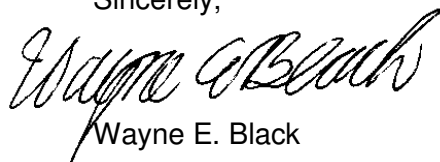
AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

- 2) the child meets all the eligibility requirements of Supplemental Security Income (SSI) with respect to eligibility for SSI benefits prior to the finalization of the adoption, or
- 3) the child was residing in a foster home or child care institution prior to the finalization of the adoption with a minor parent and a title IV-E payment was made that covered the needs of the minor parent and the child of the minor parent; or
- 4) the child was previously adopted and determined eligible for title IV-E adoption assistance and is available for adoption now because the prior adoption has been dissolved or the child's prior adoptive parents have died.

The Division of Social Services is aware that some adoption assistance agreements have been completed and signed by all parties since the federally-imposed, retroactive implementation date of January 1, 2018. No action is needed at this time on these approved cases pending additional guidance from the Administration of Children, Youth, and Families (ACYF). Any requests for adoption assistance benefits for children who will not reach age two by the end of the current federal fiscal year will require that the other eligibility criteria for the "non-applicable child" are met in order to be approved for adoption assistance. For children in the custody of private child-placing agencies, it is likely that the child meeting all requirements for SSI would be the only other path to eligibility.

If you have any questions please contact Susan Sanderson Thigpen at [Susan.Sanderson@dhhs.nc.gov](mailto:Susan.Sanderson@dhhs.nc.gov).

Sincerely,



Wayne E. Black

CWS-16-2018