



NC DEPARTMENT OF  
**HEALTH AND  
HUMAN SERVICES**  
Division of Social Services

ROY COOPER • Governor  
MANDY COHEN, MD, MPH • Secretary  
WAYNE E. BLACK • Director

June 20, 2018

**DEAR COUNTY DIRECTORS OF SOCIAL SERVICES**

**ATTENTION:** Directors, Program Managers and Child Welfare Professionals

**SUBJECT:** Title IV-E and IV-B Funding for Adoption Assistance

**FOR INFORMATION**

This letter is to remind county child welfare agencies of the requirements for Title IV-E or IV-B funds for adoption assistance. The requirements for adoption assistance are established by federal regulations and North Carolina Administrative Rule. Errors in the use of either fund can result in findings as part of the state monitoring and single county audits and can result in substantial pay backs for the county.

Eligibility for adoption assistance benefits is documented on the Adoption Assistance Eligibility Checklist (DSS-5012). This form should be completed within 30 days of the child being freed for adoption and should be updated any time prior to the completion of an adoption assistance agreement when a change in circumstances, such as the age of the child, may affect eligibility. In order to qualify for Title IV-E adoption assistance the child must meet the following requirements: (i) the child must meet the three-part special needs criteria, (ii) the child must meet one of the other eligibility criteria based on whether the child meets the criteria as an applicable or non-applicable child, and (ii) the child must have citizenship/qualified resident status. The adoption assistance agreement (DSS-5013) must be completed with the prospective adoptive parent(s) and must be signed by all parties to the agreement (namely, the adoptive parent(s) and a county child welfare agency representative) before the final decree of adoption to meet the requirements for title IV-E adoption assistance benefits. All safety checks, which include fingerprint based criminal record checks and a child abuse and neglect registry check, must be completed and approved on the adoptive parent(s) and all adults 18 or older residing in the adoptive home prior to claiming title IV-E payments on behalf of an eligible child.

Children who are determined to meet the three-part special needs criteria but do not meet one of the other eligibility criteria may be eligible for IV-B adoption assistance. In order to be eligible for IV-B adoption assistance, the child must be or have been in the placement and care of a North Carolina county child welfare agency prior to the finalization of the adoption and must not be eligible for IV-E adoption assistance. 10A NCAC 70.0402(b) notes "the adoptive parents must have entered into an agreement with the child's agency prior to entry of the Decree of Adoption". The requirements for safety checks, to include a fingerprint based criminal record check and a check of the child abuse and neglect registry, is not addressed in Administrative

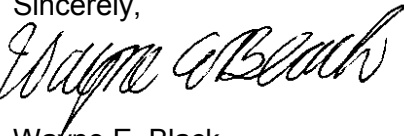
**NC DEPARTMENT OF HEALTH AND HUMAN SERVICES • DIVISION OF SOCIAL SERVICES**

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Code or NC Statute as a requirement for adoption assistance benefits but NC Statute § 48-3-309 specifies that “the Department shall ensure that the criminal histories of all prospective adoptive parents seeking to adopt a minor who is in the custody or placement responsibility of a county department of social services and the criminal histories of all individuals 18 years of age or older who reside in the prospective adoptive home are checked prior to placement. Section 1600 of the Child Welfare Funding Manual also indicates that criminal record checks must be included in pre-placement assessments before approval can be given for the adoption of a child who is or was in the custody of a county child welfare agency.

The Division of Social Services will be reviewing policy and NC Administrative Code specific to previous guidance to counties to reclassify adoption assistance cases identified as title IV-E errors to IV-B funding and will be providing clarification by the end of July regarding this practice and guidelines for handling these errors in the future. If you have any questions about this letter or adoption assistance, you may contact Susan Sanderson Thigpen at [susan.sanderson@dhhs.nc.gov](mailto:susan.sanderson@dhhs.nc.gov) or 910-298-4395.

Sincerely,  
  
Wayne E. Black

cc: Michael Becketts, Assistant Secretary for Human Services  
Lisa Cauley, Deputy Director for Child Welfare  
Richard Stegenga, Deputy Director of Business Operations

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