



North Carolina Department of Health and Human Services
Division of Social Services

325 North Salisbury Street • MSC 2439 • Raleigh, North Carolina 27699-2439
Courier # 56-20-25

Beverly Eaves Perdue, Governor
Lanier M. Cansler, Secretary

Sherry S. Bradsher, Director
(919) 733-3055

October 5, 2011

DEAR COUNTY DIRECTOR OF SOCIAL SERVICES

DEAR PRIVATE AGENCY DIRECTORS

SUBJECT: ADOPTION ASSISTANCE BENEFITS RULE CHANGES

On September 15, 2011 the Rules Review Commission amended one rule that relates to adoption assistance benefits. This amended rule is effective October 1, 2011. This amended rule with an explanation is outlined below. Strikethroughs represent the parts of the rule that are being deleted and underlines represent the new language in the rule.

10A NCAC 70M .0403 PROCEDURES/REIMBURSEMENT OF ADOPTION ASSISTANCE BENEFITS

- (a) Adoption assistance benefits for which ~~the~~ a child may be eligible ~~will~~ shall become effective the first month following the month in which the Decree of Adoption is issued.
- (b) Claims from service providers and monthly cash assistance ~~will~~ shall be reimbursed or provided from adoption assistance funds in accordance with the Department of Health and Human Services county department of social services reimbursement process, subject to the following limitations:
 - (1) Vendor payments to adoptive parents, medical providers and to providers of psychological, therapeutic, and remedial services ~~will~~ shall be made only for treatment or services given to alleviate or correct those ~~special~~ conditions for which the child has been determined eligible to receive benefits.
 - (2) The total amount for vendor payments for any ~~combination of the following services:~~ combination of medical services not covered by ~~Medicaid,~~ Medicaid including psychological, therapeutic services or remedial services for any child shall not exceed two thousand four hundred dollars (\$2,400.00) per State fiscal year.
 - (3) Vendor payments ~~will~~ shall not be made to reimburse providers for the following:
 - (A) routine medical examinations;
 - (B) illnesses or conditions not related to or resulting from the conditions for which the child was determined eligible for vendor payments;
 - (C) services or treatment provided to the child prior to entry of the Decree of Adoption; and
 - (D) services or treatment that may have been provided on or after the first day of the month following the month in which the child's eligibility ceases.
- (c) No local match, in terms of dollars, is required for funds for those children certified to receive benefits under the State Fund for Adoptive Children with Special Needs who are the placement responsibility of licensed private child-placing agencies with the exception of monthly cash payments for those children who are eligible for benefits from Title IV-E of the Social Security Act.

No monthly cash assistance payments from the State Fund for Adoptive Children with Special Needs shall be made for any adoption in which the Decree of Adoption is issued on or after October 1, 2011.

History Note: Authority G.S. 108A-49; 108A-50; 143B-153;
Eff. July 1, 1982;

Amended Eff. October 1, 2011; July 18, 2002; July 1, 1991; March 1, 1990.

The State Fund will no longer be available for children whose Decree of Adoption is issued on or after October 1, 2011. Adoption assistance benefits will only be available for children meeting the eligibility requirements of Titles IV-E or IV-B of the Social Security Act. This will impact those children who are or have been in the placement and care of a North Carolina licensed private agency prior to the finalization of the adoption.

If you have questions about the change in the adoption assistance benefit rule contact Susan Sanderson (susan.sanderson@dhhs.nc.gov) at 910.293-4356.

Sincerely,



Kevin Kelley, Chief
Child Welfare Services Section

cc: Sherry Bradsher
Jack Rogers
Children's Program Representatives

CWS-26-11