

**441—201.4(600) Application.** Application for presubsidy or subsidy for a child with special needs in the guardianship of the department shall be made at the time of the adoptive placement of the child, or at any time in the adoptive process before finalization of the adoption.

**201.4(1)** The prospective adoptive family residing in Iowa who has been studied and approved for adoptive placement, or a family residing outside of the state of Iowa studied and approved by a governmental child-placing agency or a licensed child-placing agency in that state, may apply for subsidy for an eligible Iowa child.

**201.4(2)** Withdrawal of the subsidy application shall be reported to the department immediately.

**201.4(3)** The effective date for the Adoption Subsidy Agreement will be the date the agreement is signed by the adoptive parents and the department, which may be the date the child is placed in the adoptive home or any date up to and including the date the adoption is finalized. The agreement shall state the amount of the presubsidy or subsidy, the frequency and duration of payments and the conditions under which the agreement may be terminated.

**201.4(4)** An application for subsidy cannot be taken after the child is adopted except when there are facts relevant to a child's eligibility that were not presented before the finalizing of the adoption.

*a.* Upon receiving verification that the child was eligible before the child's adoption, the department may conduct an administrative review of the facts and may determine that the child is an eligible child with special needs. Eligibility will be effective after the Application for Subsidy is completed and the Adoption Subsidy Agreement form is signed by all parties.

*b.* Requests for determination after the adoption is finalized shall be forwarded with verification of eligibility to the department. The department shall conduct an administrative review of eligibility factors and render a written decision within 30 days of receipt of request and verification materials unless additional verification is requested. If additional verification is requested, a decision shall be reached within 30 days of receipt of additional verification materials.

**201.4(5)** A child in the guardianship of a licensed child-placing agency may be eligible for adoption subsidy when one of the following conditions is met:

*a.* The child receives or is eligible to receive SSI based on a diagnosed disability, or

*b.* The child received federally funded adoption subsidy in a prior adoption.

[ARC 8415C, IAB 11/27/24, effective 1/1/25]