

RFI 4241

1. Describe practices used by DHS prior to and after the rule change for determining adoption subsidy levels.

Following is a summary of adoption subsidy negotiation process.

- When a family is ready to adopt a child that is under DHS guardianship and that has a special need, the DHS worker informs the prospective adoptive family about the benefits that are available through the subsidy program.
- The family then submits an Application for Subsidy (form 470-0744) to DHS.
- The DHS adoption worker and the family negotiate the adoption subsidy agreement. The negotiation focuses on the following.
 - The needs of the child (for services and assistance)
 - The expenses expected to be incurred for the child
 - The family's circumstances (whether the adoptive family requires financial or other assistance to meet the needs of the child)
- When an agreement is reached, the adoptive family, the DHS adoption worker, and the Service Area Administrator or designee sign the Adoption Subsidy Agreement (form 470-0749).
- The effective date of the subsidy agreement is the date all parties have signed the agreement.

The actual negotiation process used by DHS has not changed since the rule changes took effect. However, DHS has taken several steps to improve the negotiation process.

- Providing training to adoption staff on the negotiation process, with the goal of increasing consistency in the negotiation process.
- Publishing an Iowa Adoption Subsidy Fact Sheet that describes the benefits of the adoption subsidy program.
- Working with the Iowa Foster and Adoptive Parents Association to develop a handbook for adoptive families on the adoption subsidy program, so that program eligibility and benefits are more "transparent" to families.

As a result, DHS staff are more consistently implementing the following practices.

- Clarifying the difference between family foster care and adoption, including differences in roles, expectations and program benefits.
- Asking families to identify the resources that they have that can meet the needs of the child being adopted.
- Encouraging families to use community resources (e.g., child care assistance, Medicaid Waiver, HIPP, etc.) whenever possible.
- Asking families if they anticipate the need for a subsidy based on their circumstances, at the time the family's home study is completed.

The DHS Administrator of the Division of Behavioral, Developmental and Protective Services for Families, Adults and Children also sent a letter on 6-2-04 to all adoptive families receiving a subsidy summarizing changes to the adoption subsidy program.

2. Provide information as to how subsidy levels for particular purposes differed between DHS regional and local offices prior to the rule change and how the rules change has or is expected to affect those differences.

The adoption subsidy negotiation process described above has been used by DHS prior to and after the rule changes. Variations in the benefits that are included in adoption subsidy agreements can be attributed to the following.

- Differences in the needs of the child being adopted
- Differences in the expenses the family expected to incur for the child
- Differences in the family's circumstances
- Differences in the way staff in the service areas implement the subsidy rules.

As noted above, DHS presented training to adoption staff in April and July 2004 in order to improve consistency of practice. The training was developed specifically for DHS by the National Resource Center on Special Needs Adoption. The resource center provided DHS with the course curriculum so that DHS can continue to provide this course to adoption and foster care workers on an on-going basis. DHS is also working with the Iowa Foster and Adoptive Parents Association (IFAPA) to develop and distribute an Adoption Subsidy Handbook to prospective adoptive parents. We anticipate that the subsidy handbook should be completed by the end of the year. In addition, DHS and IFAPA are planning to develop and distribute a resource directory to adoptive parents within the next several months.

We expect these activities to reduce differences in the way staff in the service areas implement the subsidy rules.

3. Provide information as to how program costs and benefits differed between DHS regional and local offices prior to the rule change and how the rule change has or is expected to affect these differences. Include information as to the fiscal impacts of different components of the program.

Tables 1 – 3 below compare 1st quarter costs by Service Area and county clusters for state fiscal year (SFY) 2003, 2004, and 2005.

Table 1. Adoption subsidy program costs for the first quarter of SFY 2003.

Cluster/Project	Monthly Maintenance	Legal Fees	Child Care	Grand Total
Ft. Dodge	188,626.74	2,080.00	8,474.25	199,180.99
Webster City	16,480.96		762.23	17,243.19
Marshalltown	167,666.70	500.00	15,313.74	183,480.44
Newton	160,016.83		5,460.00	165,476.83
Ames	91,900.75	4,750.46	8,917.93	105,569.14
Total Ames SA	624,691.98	7,330.46	38,928.15	670,950.59
Carroll	64,652.39			64,652.39
Denison	20,152.24			20,152.24
Atlantic	50,477.76		978.00	51,455.76
Clarinda	51,885.29		1,560.00	53,445.29
Logan	83,171.83		2,966.50	86,138.33
C.B.-Pottawattamie	234,374.85	5,517.00	2,146.00	242,037.85
Total Council Bluffs SA	504,714.36	5,517.00	7,650.50	517,881.86
Centerville	116,434.80	1,740.00	2,066.56	120,241.36
Vinton	85,089.72	1,302.96	1,148.50	87,541.18
Fairfield	143,488.44	1,425.85	1,133.00	146,047.29
Iowa City	329,611.02	6,500.40	31,588.02	367,699.44
Anamosa	14,982.53		330.00	15,312.53
Cedar Rapids	429,035.11	4,825.00	18,157.39	452,017.50
Ottumwa	166,231.64	1,000.00	5,029.45	172,261.09
Total Cedar Rapids SA	1,284,873.26	16,794.21	59,452.92	1,361,120.39
Decorah	86,994.74	559.75	1,052.26	88,606.75
Independence	174,767.22	2,430.82	1,800.00	178,998.04
Clinton	172,090.49	7,284.50	6,317.11	185,692.10
Dubuque	193,049.89	3,766.65	1,426.00	198,242.54
Total Dubuque SA	626,902.34	14,041.72	10,595.37	651,539.43
Creston	35,424.60		980.00	36,404.60
Boone	166,025.39	2,239.32	11,033.80	179,298.51
Leon	96,463.96			96,463.96
Indianola	148,628.54	1,135.00	9,305.80	159,069.34
Polk	2,341,809.00	24,294.09	303,022.59	2,669,125.68

Total Des Moines SA	2,788,351.49	27,668.41	324,342.19	3,140,362.09
Orange City	17,235.04	1,815.79	2,889.53	21,940.36
Spencer	2,366.97			2,366.97
Algona	50,315.72		4,232.39	54,548.11
Sioux City	1,369,003.35	21,033.20	74,477.60	1,464,514.15
Total Sioux City SA	1,438,921.08	22,848.99	81,599.52	1,543,369.59
Tipton-Cedar	13,704.32			13,704.32
Burlington	194,250.42	2,601.00	3,919.50	200,770.92
Ft. Madison	83,643.33	3,351.25	6,232.79	93,227.37
Muscatine	191,414.82	1,168.65	6,836.21	199,419.68
Scott	786,551.94	11,065.06	9,237.57	806,854.57
Total Davenport SA	1,269,564.83	18,185.96	26,226.07	1,313,976.86
Black Hawk	454,469.36	6,533.94	5,878.72	466,882.02
Allison	42,113.20	1,818.49		43,931.69
Mason City	220,163.44	1,100.00	7,799.57	229,063.01
Charles City	42,987.97	1,100.00	1,580.98	45,668.95
Total Waterloo SA	759,733.97	10,552.43	15,259.27	785,545.67
Grand Total	9,297,753.31	122,939.18	564,053.99	9,984,746.48

Table 2. Adoption subsidy program costs for the first quarter of SFY 2004.

Cluster/Project	Monthly Maintenance	Legal Fees	Child Care	Grand Total
Ft. Dodge	180,559.42	6,341.84		186,901.26
Webster City	33,268.13		818.63	34,086.76
Marshalltown	182,252.06		14,225.58	196,477.64
Newton	243,932.23	5,871.55	14,984.64	264,788.42
Ames	201,610.99		28,558.79	230,169.78
Total Ames SA	841,622.83	12,213.39	58,587.64	912,423.86
Carroll	76,090.08	3,937.14		80,027.22
Denison	19,966.81		500.00	20,466.81
Atlantic	62,433.66		765.00	63,198.66
Clarinda	48,145.42	669.66		48,815.08
Logan	94,730.26	600.00	2,565.30	97,895.56
C.B.-Pottawattamie	261,136.49	655.00	6,033.88	267,825.37
Total Council Bluffs SA	562,502.72	5,861.80	9,864.18	578,228.70
Centerville	124,954.77	1,500.00	1,090.00	127,544.77
Vinton	102,805.33	2,215.08	1,419.90	106,440.31
Fairfield	152,864.53	4,000.00	318.00	157,182.53
Iowa City	381,642.94	5,809.12	40,655.95	428,108.01
Anamosa	27,652.72	776.25	819.55	29,248.52
Cedar Rapids	496,139.37	6,480.00	2,546.19	505,165.56
Ottumwa	182,291.79	2,000.00	2,628.53	186,920.32
Total Cedar Rapids SA	1,468,351.45	22,780.45	49,478.12	1,540,610.02
Decorah	85,676.22			85,676.22
Independence	167,822.14	504.64	2,550.00	170,876.78
Clinton	211,526.51	3,689.91	5,354.03	220,570.45
Dubuque	233,485.21	1,707.32	2,732.85	237,925.38
Total Dubuque SA	698,510.08	5,901.87	10,636.88	715,048.83
Creston				-
Boone	175,217.11	3,577.60	12,997.06	191,791.77
Leon	97,231.85			97,231.85
Indianola	184,876.95	1,531.68	17,026.45	203,435.08
Polk	2,682,969.89	61,824.43	334,953.18	3,079,747.50
Total Des Moines SA	3,140,295.80	66,933.71	364,976.69	3,572,206.20
Orange City	45,195.52	1,494.88	3,788.78	50,479.18
Spencer	2,772.88			2,772.88
Algona	50,192.77		3,924.79	54,117.56
Sioux City	1,558,485.26	18,020.94	69,733.92	1,646,240.12
Total Sioux City SA	1,656,646.43	19,515.82	77,447.49	1,753,609.74

Tipton-Cedar				-
Burlington	340,278.47	3,025.00	12,579.32	355,882.79
Muscatine	179,416.49	2,640.00	1,276.00	183,332.49
Scott	804,003.13	9,025.00	10,603.00	823,631.13
Total Davenport SA	1,323,698.09	14,690.00	24,458.32	1,362,846.41
Black Hawk	457,122.33		1,937.00	459,059.33
Allison	55,226.59	1,920.00		57,146.59
Mason City	254,647.21	4,170.00	17,735.16	276,552.37
Charles City	54,644.22	1,750.00	1,276.37	57,670.59
Total Waterloo SA	821,640.35	7,840.00	20,948.53	850,428.88
Grand Total	10,564,623.24	155,737.04	616,397.85	11,336,758.13

Table 3. Adoption subsidy program costs for the first quarter of SFY 2005.

Cluster/Project	Monthly Maintenance	Legal Fees	Child Care	Grand Total
Ft. Dodge	166,714.05	2,932.91	10,739.77	180,386.73
Webster City	39,102.23		167.89	39,270.12
Marshalltown	187,413.77		8,099.30	195,513.07
Newton	274,173.88	2,055.00	20,946.01	297,174.89
Ames	190,531.22		3,872.80	194,404.02
Total Ames SA	857,935.15	4,987.91	43,825.77	906,748.83
Carroll	75,686.15	739.50	4,100.00	80,525.65
Denison	32,248.88		231.00	32,479.88
Atlantic	70,446.56	661.50		71,108.06
Clarinda	48,059.88			48,059.88
Logan	86,390.48		1,194.50	87,584.98
C.B.-Pottawattamie	295,329.54	500.00	3,230.00	299,059.54
Total Council Bluffs SA	608,161.49	1,901.00	8,755.50	618,817.99
Centerville	129,385.13	100.00		129,485.13
Vinton	74,142.23	1,000.00		75,142.23
Fairfield	141,184.89	814.00		141,998.89
Iowa City	382,646.49	1,206.00	28,581.82	412,434.31
Anamosa	31,130.21	1,000.00		32,130.21
Cedar Rapids	623,514.15	11,748.50	17,007.86	652,270.51
Ottumwa	233,933.86	2,790.00	6,426.52	243,150.38
Total Cedar Rapids SA	1,615,936.96	18,658.50	52,016.20	1,686,611.66
Decorah	83,299.00	335.00		83,634.00
Independence	177,284.64			177,284.64
Clinton	223,142.26	2,425.00	3,915.00	229,482.26
Dubuque	276,422.32	4,000.00	2,138.34	282,560.66
Total Dubuque SA	760,148.22	6,760.00	6,053.34	772,961.56

Creston	37,928.16		100.00	38,028.16
Boone	186,394.34	1,300.00	6,622.76	194,317.10
Leon	82,024.00	600.00		82,624.00
Indianola	197,545.96	650.00	14,912.08	213,108.04
Polk	3,017,811.92	36,493.33	256,389.16	3,310,694.41
Total Des Moines SA	3,521,704.38	39,043.33	278,024.00	3,838,771.71
Orange City	75,738.96	627.33	3,089.70	79,455.99
Spencer	5,152.67			5,152.67
Algona	58,473.46		3,000.09	61,473.55
Sioux City	1,700,653.74	21,471.40	49,057.93	1,771,183.07
Total Sioux City SA	1,840,018.83	22,098.73	55,147.72	1,917,265.28
Tipton-Cedar	15,191.14			15,191.14
Burlington	367,139.16	1,000.00	3,741.03	371,880.19
Muscatine	170,582.85	1,500.00	890.00	172,972.85
Scott	804,192.66	4,500.00	2,667.65	811,360.31
Total Davenport SA	1,357,105.81	7,000.00	7,298.68	1,371,404.49
Black Hawk	471,582.66	2,331.68	3,833.43	477,747.77
Allison	64,772.05	2,000.00		66,772.05
Mason City	273,827.19	1,000.00	3,548.40	278,375.59
Charles City	52,882.54		552.00	53,434.54
Total Waterloo SA	863,064.44	5,331.68	7,933.83	876,329.95
Grand Total	11,424,075.28	105,781.15	459,055.04	11,988,911.47

4. Provide information regarding the potential programmatic impact of the projected future program growth. Include information on the current numbers of CINA/TPR children waiting for adoption finalization, estimates for future years, costs for foster care provided, and costs for adoption subsidies.

DHS develops budget projections for the adoption subsidy program based on caseload growth experienced in the most recent past. Our FY 2006 budget reflects a projected growth of 47 cases per month. Following are 3 alternative projections for growth in the adoption subsidy program over the next 10 years. Table 4 uses an average monthly growth of 48 cases, Table 5 uses a more moderate growth of 31 cases per month, and Table 6 uses the most conservative figure of 21 cases per month.

Table 4. 10 year adoption subsidy projection assuming average caseload growth of 48/month

	total cost	federal share	state share	Avg. # of cases
FY 2006	55,614,951	25,819,506	29,795,445	7,393
FY 2007	59,947,998	27,831,144	32,116,854	7,969
FY 2008	64,281,044	29,842,781	34,438,263	8,545
FY 2009	68,614,091	31,854,419	36,759,672	9,121
FY 2010	72,947,137	33,866,056	39,081,081	9,697
FY 2011	77,280,183	35,877,694	41,402,489	10,273
FY 2012	81,613,230	37,889,331	43,723,899	10,849
FY 2013	85,946,276	39,900,969	46,045,307	11,425
FY 2014	90,279,323	41,912,606	48,366,717	12,001
FY 2015	94,612,369	43,924,244	50,688,125	12,577
FY 2016	98,945,415	45,935,881	53,009,534	13,153
10 year cost	850,082,017	394,654,631	455,427,386	N/A

Table 5. 10 year adoption subsidy projection assuming average caseload growth of 31/month

	total cost	federal share	state share	Avg. # of cases
FY 2006	53,343,111	24,764,794	28,578,317	7,091
FY 2007	56,141,537	26,063,976	30,077,561	7,463
FY 2008	58,939,963	27,363,159	31,576,804	7,835
FY 2009	61,738,389	28,662,342	33,076,047	8,207
FY 2010	64,536,814	29,961,524	34,575,290	8,579
FY 2011	67,335,240	31,260,706	36,074,534	8,951
FY 2012	70,133,666	32,559,889	37,573,777	9,323
FY 2013	72,932,092	33,859,072	39,073,020	9,695
FY 2014	75,730,518	35,158,254	40,572,264	10,067
FY 2015	78,528,943	36,457,436	42,071,507	10,439
FY 2016	81,327,369	37,756,619	43,570,750	10,811
10 year cost	740,687,642	343,867,771	396,819,871	N/A

Table 6. 10 year adoption subsidy projection assuming average caseload growth of 21/month

	total cost	federal share	state share	Avg. # of cases
FY 2006	52,109,397	24,192,036	27,917,361	6,927
FY 2007	52,267,372	24,265,377	28,001,995	6,948
FY 2008	52,425,348	24,338,718	28,086,630	6,969
FY 2009	52,583,324	24,412,059	28,171,265	6,990
FY 2010	52,741,299	24,485,400	28,255,899	7,011
FY 2011	52,899,275	24,558,741	28,340,534	7,032
FY 2012	53,057,250	24,632,081	28,425,169	7,053
FY 2013	53,215,226	24,705,423	28,509,803	7,074
FY 2014	53,373,202	24,778,764	28,594,438	7,095
FY 2015	53,531,177	24,852,104	28,679,073	7,116
FY 2016	53,689,153	24,925,445	28,763,708	7,137
10 year cost	581,892,023	270,146,148	311,745,875	N/A

assumptions:

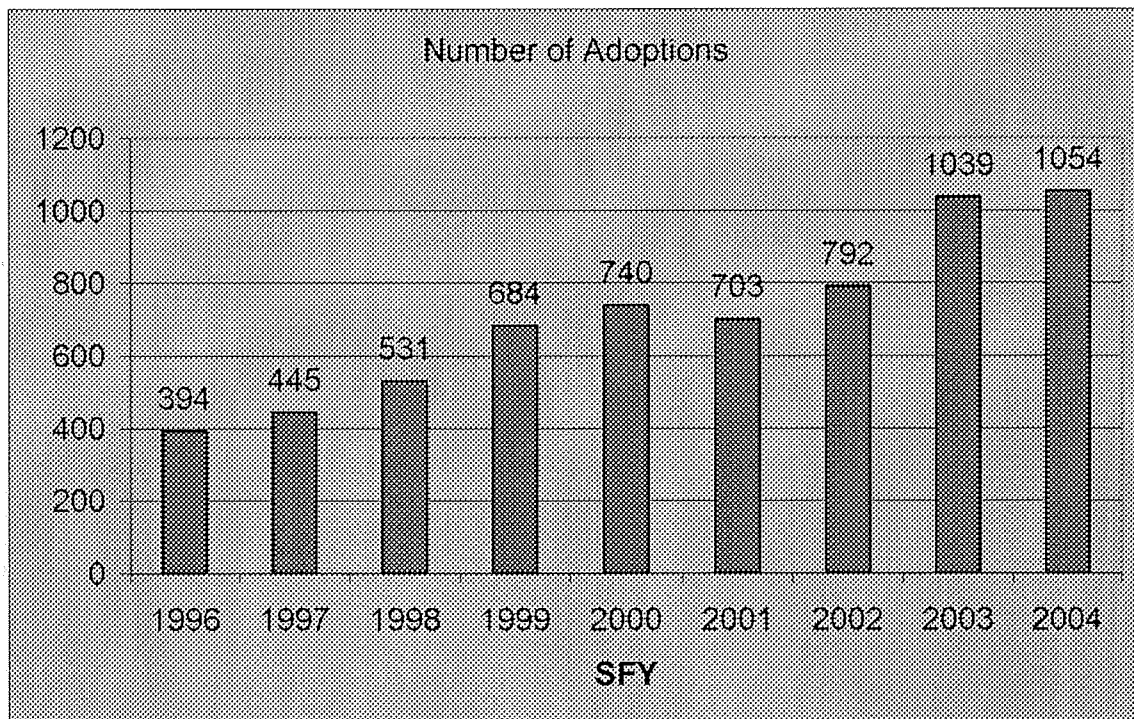
- o cost per case based on FY06 average used to develop FY06 budget. Does not include cost to maintain reimbursement to adoptive parents at 65% of the USDA cost.
- o federal share based on FMAP rate of 63.71% for all years. Assumes 72.87% of cases are IVE eligible.

5. Provide information regarding child care and any other benefits in which the amount of adoption subsidy assistance provided can vary based upon parental income.

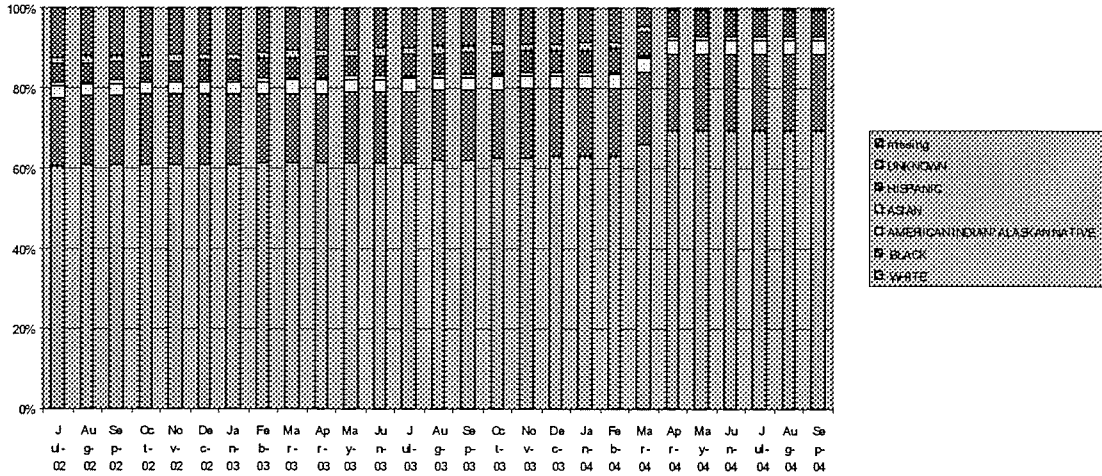
Per federal policy, DHS cannot base eligibility for the adoption subsidy or the benefits funded through the adoption subsidy program on family income. Adoptive families may apply for a range of other publicly funded benefit programs that do use parental income as an eligibility factor – including TANF, food assistance, child care, public housing, etc.

6. Provide a thorough analysis of the demographic factors of the adoptive families and the adoptive children's special needs. The information should include age bands for children, types of special needs, special needs types by age, age group bands and number of years adopted, race by age and years adopted, and sibling groups by age, race, and number in sibling group. Family information should include parent age, household income, hours worked, length of time as foster parent, number of special needs children adopted, numbers in sibling groups, special needs within sibling groups, race/sibling group/special needs, child care arrangements and costs, subsidy amounts by child/need addressing maintenance, special care maintenance, and respite care, and a matrix indicating use of subsidy payments for particular purposes.

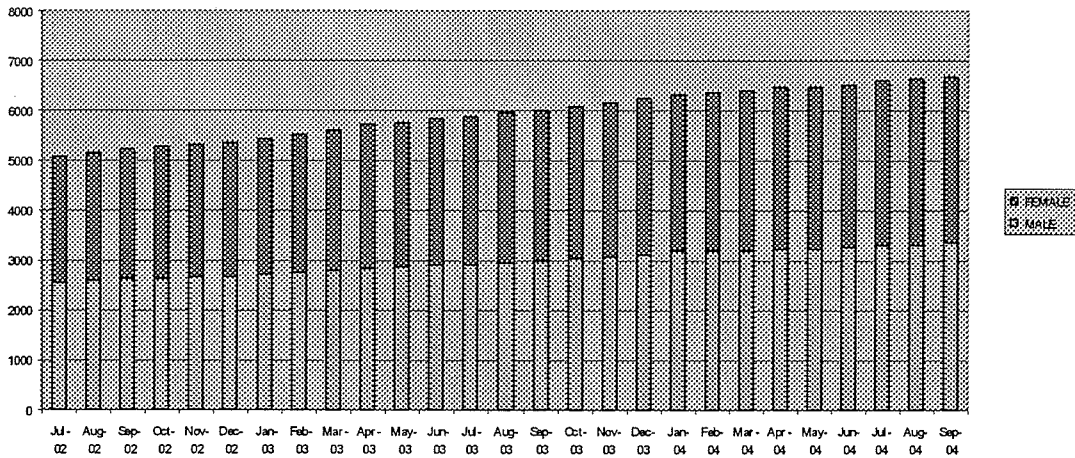
Adoptive Children. The following graphs and table show the total number of adoptions by fiscal year, as well as information on the race, gender, age and special needs of children participating in the adoption subsidy program.



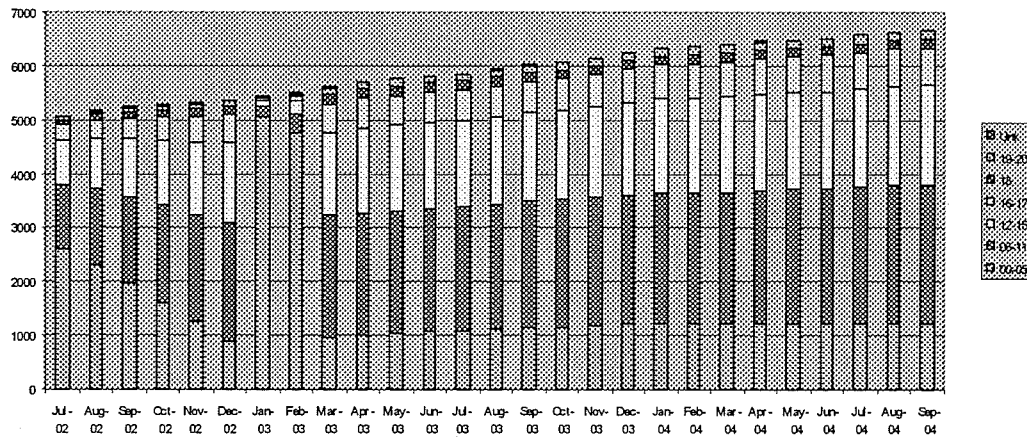
Race of Adoption Subsidy Children by month



Sex of Adoption Subsidy Children by month



Age of Adoption Subsidy children by month



Information About the Children’s Special Needs

Child’s Special Need	Percentage of Children Experiencing
Neglect	60%
Attention deficit disorder	52%
Sexual abuse	39%
Physical abuse	39%
Drug affected infant	29%
Oppositional defiant disorder	28%
Reactive attachment disorder	26%
Fetal alcohol syndrome	26%
MR/DD	13%
Delinquency	6%
Sexual perpetrator	4%
Autism	4%

Adoptive Families. DHS does not routinely gather demographic data on the parents of children receiving adoption subsidy. In 1999, however, we conducted a survey of families participating in the adoption subsidy program to determine their satisfaction with the adoption subsidy. The return rate for the survey was 43%. The following information on the profile of adoptive families and on their adoptions is drawn from that survey.

Family Information	Survey Findings
Average number of children adopted	2 children
Race (parent 1)	Caucasian - 89.45% African American - 0.38% Other or blank - 10.71%
Race (parent 2)	Caucasian - 90.77% African American - 0.21%

	Other - 9.01%
Education (parent 1)	Grade school – 2.46% High school or GED – 30.81% Voc'l degree/some college – 32.14% Bachelor degree – 19.28% Professional degree – 11.72% Doctoral degree – 3.59%
Education (parent 2)	Grade school – 1.75% High school or GED – 35.01% Voc'l degree/some college – 35.45% Bachelor degree – 15.75% Professional degree – 10.50% Doctoral degree – 1.53%
Employment (parent 1)	Full-time - 74.80% Part-time – 9.25% Not employed – 15.94%
Employment (parent 2)	Full-time – 57.24% Part-time – 19.46% Not employed – 23.30%

Information About Their Adoptions

Adoption Information	Survey Findings
Average number of children adopted	2 children
Average age of child at adoption	5.33 years
Average time child was in foster care before adoption	2.80 years
Average number of placements child had before being placed with adoptive family	2.52 placements
Percentage of adoptions that involved a sibling group	43.70%
Percentage of children who were adopted by their foster parents	81.96%

7. Provide quantification of the projected savings in other programs and services resulting from utilization of the adoption subsidy program.

Following is a comparison of the average monthly costs for a child in the adoption subsidy program, family foster care, and group care. Children who are not adopted are most likely to be placed in family foster care or group care.

Level of Care	Average Monthly Cost (Total \$)	Average Monthly Cost (State \$)
Family foster care	\$933	\$620
Group care	\$3,760	\$2,456
Adoption subsidy	\$653	\$350

A 1993 study by the Westat Corporation also concluded that the administrative costs of adoption are substantially lower than those associated with a state's foster care program. Following are some of the administrative costs associated with the foster care program that are not required once a child is adopted.

- Supervision and monthly visits by a public or private agency child welfare worker
- 6 month reviews by the Juvenile Court, Local Citizen Foster Care Review Board, or public agency administrative review process
- 12 month court hearings
- Assignment of a guardian-ad-litem and/or attorney for the child

8. Provide information on the attitudes and opinions of existing adoptive parents in the subsidy program to the changes in the program. Here are two question they have been raised during discussion: Is it fair to alter benefits to adoptive parents who anticipated the set of adoption subsidy items at the time of adoption would remain consistent until the adopted child reaches adulthood. Have subsidy alterations been implemented in a fashion that would impact recruitment of new adoptive parents for the program.

Adoptive and foster parents participated in the work group in the spring of 2003 that drafted the initial proposed rule changes. The families that participated in the work group generally felt the changes the work group developed were fair since the subsidy maintenance rate was not reduced. Those parents expressed an understanding that when a child is adopted the child becomes theirs along with all of the traditional financial responsibilities. In terms of child care, some families were concerned that child care was ever provided through the subsidy program, since they viewed this as a responsibility that all families with children must handle. Other families, however, expressed a strong need for services (respite care, child care), particularly when children have severe disabilities.

DHS held public hearings on the proposed rules on September 10 – 11, 2003 in each of the DHS Service Areas. Comments from adoptive families ranged from general support to frustration and anger. Several families expressed concern because they believed the monthly maintenance subsidy would be reduced (although this was not included in the

proposed rules). Comments from the public hearings and DHS' response are available upon request.

Adoption Subsidy Agreements are in effect until the child reaches the age of majority (18, or 21 if the child has a physical or mental disability). Families can request a review of the subsidy agreement at any time when their circumstances or the child's needs change.

Families that adopted children prior to July 1, 2004 were "grandfathered in" and were not affected by the changes, except for those families receiving child care through the adoption subsidy program. Those families were exempted from Child Care Assistance (CCA) eligibility guidelines and continue to receive child care assistance through the subsidy program at the CCA rate allowed for the child's age and type of care. If the family believes the maximum rate is not sufficient the family can request a policy exception from the DHS Director. The procedure for submitting an exception was included in the letter sent to families June 2, 2004. To date, 10 families have requested exceptions to the CCA rates, and DHS has approved 6 of those requests.

DHS has not received other comments from adoptive families in response to the letter sent out on June 2, 2004.

During the course of the year DHS will monitor the impact of the rule changes to determine if recruitment efforts of adoptive parents and placements are impacted. To date, the KidSake Foster Care and Adoption Recruitment Project reports that they have not seen a decline in the number of initial inquiries received.

9. Identify persons who could provide helpful information, testimony, or other input to the committee. (Please respond to this information item by the end of September)

Suggested DHS representatives would be:

- Mary Nelson, Administrator, Division of Behavioral, Developmental and Protective Services for Families, Adults, and Children
- Charlcie Carey, Program Manager for Adoptions

IOWA ADOPTION SUBSIDY FACT SHEET

Maintenance Subsidy - provides a monthly payment, based on a daily rate, to assist in covering the cost of room, board, clothing and spending money for an eligible special needs child if needed due to the circumstances of the family. Following is the payment schedule effective July 1, 2004 that includes the maximum negotiated maintenance plus special care allowances:

Age of Child	Basic Daily Rate	Maintenance plus \$4.94 per day	Maintenance plus \$14.80 per day	Basic rate plus sibling Allowance (\$1.00 per day)
0 - 5years	\$14.28	\$19.22	\$29.08	\$15.28
6 - 11	15.07	20.01	29.87	16.07
12 - 15	16.83	21.77	31.63	17.83
16 - 20	16.83	21.77	31.63	17.83

Special Services Subsidy - reimbursement is provided to the adoptive family, or direct payment, for the following services:

- Outpatient counseling or therapy services
- Medical services not covered by the Medicaid program (limited to an additional premium amount due to the child's special needs to include the child in the family's health insurance coverage group.
- Medical transportation not covered by Medicaid and the family's lodging and meals, if necessary, when the child is receiving specialized care or the child and family are required to stay overnight as part of a treatment plan.
- Supplies and equipment as required by the child's special needs and unavailable through other sources.
- Attorney fees and court costs necessary to finalize the adoption, limited to \$500 per child.
- 5 days of respite care per day at the rate of \$15.00 per day.
- A one-time payment up to \$500 per child when a sibling group of three or more is placed together.
- A maximum payment of \$ 2000 per family for expenses (transportation, lodging, per diem) related to preplacement visits.
- Funeral benefits at the amount allowed for a foster child.

NOTE: Prior approval must be given by the Adoption Program Manager for any single special service that costs \$500 or more and is delivered over a 12-month period.

Medicaid - DHS provides Medicaid to all children in presubsidy and subsidized adoptive placements for whom the Department has some financial responsibility.

AGREEMENT OF PLACEMENT FOR ADOPTION

I

This agreement is between _____, adoptive parents, and the Iowa Department of Human Services concerning placement of _____, born _____, for adoption. This agreement is effective _____, and continues in force until the adoption is finalized and guardianship is transferred to _____.

II

The general conditions of this agreement are:

1. Adoption means a legal and social process through which a child becomes a member of a family into which the child was not born. Adoption provides the child the same rights, privileges and duties as a birth child.
2. Preadoptive care means the provision of parental nurturing on a full-time basis to a child by a person who has an *Agreement of Placement for Adoption* for the purpose of proceeding with a legal adoption of the child in accordance with Iowa Code Section 232.2(42A).
3. Until the adoption is finalized, the Iowa Department of Human Services is the guardian of the child and has the rights, privileges, duties and responsibilities given to the guardian by Iowa Code Sections 232.2(10), 232.2(18), 600A.2(7), and 600A.2(8). Legal guardianship is transferred to the adoptive parents upon finalization of the adoption.
4. Adoptive parents will be advised of special medical or mental health conditions or any other special conditions affecting the child, including risk factors for or diagnosis of HIV infection.
5. The cost of medical care for the child is the responsibility of the adoptive parents unless the placement is in anticipation of a subsidized adoption. When subsidy is anticipated, the cost of medical care is a shared responsibility of the Iowa Department of Human Services and the family.

III

Please sign after this section to indicate your agreement to comply with these requirements.

agree:

1. To accept adoptive placement and to provide parental nurturing which includes, but is not limited to, food, housing, clothing, recreational activities, education, training, treatment, and additional needs of the child.
2. Not to transfer care or custody of the child to anyone else without written consent of the Iowa Department of Human Services.
3. To notify _____ of any changes, i.e., address, employment, marital status, death or birth, etc., in the household immediately.
4. To hold confidential all information received from the Department regarding the child and the child's birth family.
5. To arrange for the child to receive routine medical and dental care.

6. To obtain consent from the Department when medical authorization is required. further agree not to release HIV status without authorization from the Department.
7. Provide permission for the child to participate in routine recreational and school activities.
8. To obtain consent from the Department to travel out-of-state with the child.
9. To give the Department advance written notification of a request to remove the child from home, except in an emergency.
10. To work together with the Department and other professionals involved in the child's case plan if it is determined that the child will need to be removed from care.
11. To initiate legal procedures for adoption when the adoption is recommended by the child's guardian, the Iowa Department of Human Services.

(Signature)

(Date)

(Signature)

(Date)

Signature - Adoption Worker - Placing Region	Date	Region
Signature - Human Services Area Administrator or Designee, Receiving Region		Date

IV

This section is only applicable when an adoptive placement is made while the termination of parental rights (TPR) order is being appealed.

_____ have been adequately informed by the Iowa Department of Human Services about the following issues regarding _____ :

1. On _____, the parental rights were terminated.
2. _____ understand that the birth parents have appealed the termination of parental rights order.
3. _____ understand that until either the appeal is withdrawn or a final decision regarding the appeal is reached and a procedendo is issued, the adoption cannot be finalized.
4. _____ understand it is possible that the child may be returned to birth parents if the termination of parental rights order is overturned.
5. After being informed of the legal implications involved in accepting this adoptive placement while the termination of parental rights order is under appeal, _____ consent to the placement of _____ in home. If and when the procedendo is signed regarding this appeal, _____ will begin adoption finalization proceedings.

(Signature)

(Date)

(Signature)

(Date)

Signature - Adoption Worker - Placing Region	Date	Region
Signature - Human Services Area Administrator or Designee, Receiving Region		Date

Termination of Parental Rights Appellate Decision:

Upheld

Overturned

(Date)

SPECIAL PROVISIONS

DHS Case Worker Name	Phone Number
DHS Supervisor Name	Phone Number
Other Emergency Contact Names	Phone Numbers

APPLICATION FOR SUBSIDY

Application Type: Presubsidy Subsidy

Subsidy Type: Maintenance Special services Maintenance and special services

I hereby apply for a subsidy for the care of:

Names

Birth Dates

I agree to include the adopted child on my private health insurance coverage, unless prohibited by the insurance company.

When maintenance subsidy is being requested, I will notify the Iowa Department of Human Services of any changes in the circumstances of the family that will affect the family's ability to meet the special needs of the children.

I understand I must provide the following information to negotiate a subsidy to meet the special needs of the children.

Name and address of private health insurance company		Check coverage areas <input type="checkbox"/> Hospital <input type="checkbox"/> Pharmacy <input type="checkbox"/> Physician <input type="checkbox"/> Dental	
Description of adopted child's needs and the family's ability to meet those needs. (Attach additional sheets if needed.)			
Child's unearned income \$ _____ (Attach verification)	Amount of subsidy needed to meet needs of special needs children \$ _____	Number of persons in my household claimed for taxes	
Adoptive Mother's Signature	Date	Adoptive Father's Signature	Date
Address		Telephone Number ()	

TO APPLICANTS

The Department will provide an *Adoption Notice of Decision*, form 470-0745, to inform you of the action taken with regard to your application.

DHS Adoption Worker	Date Received
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Iowa Department of Human Services
ADOPTION SUBSIDY AGREEMENT

Agreement Type:			
<input type="checkbox"/> Presubsidy/preadoptive <input type="checkbox"/> Initial <input type="checkbox"/> Revision IV-Eligible <input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Subsidy <input type="checkbox"/> Initial <input type="checkbox"/> Revision IV-Eligible <input type="checkbox"/> Yes <input type="checkbox"/> No	
Parties to the Agreement:			
<i>Iowa Department of Human Services</i>		<i>Adoptive Parents</i>	
Address		Address	
Phone No.		Phone No.	
For Special Needs Child:			
Name	Birth Date	Placement Date	Adoption Date
Special Needs Covered by Agreement. Check all that apply.			
<input type="checkbox"/> Sibling Group <input type="checkbox"/> Emotional or behavioral disability <input type="checkbox"/> Mental retardation <input type="checkbox"/> Physical disability <input type="checkbox"/> Over age 8 (Caucasian) <input type="checkbox"/> Minority/biracial over age 2			
Summary of Benefits:			
<input type="checkbox"/> Maintenance *	Daily Subsidy Payment \$	Special Allowance Daily Rate \$	Effective Date
<input type="checkbox"/> Medical assistance	Eligibility <input type="checkbox"/> IV-E <input type="checkbox"/> Not IV-E		Effective Date
<input type="checkbox"/> Nonrecurring expenses	Attorney Fees \$	Court Costs \$	
<input type="checkbox"/> Total daily amount of subsidy payments \$			
<input type="checkbox"/> Other special services needed by the child: ** (Explain)			
<p>* Non-Medicaid providers shall be paid at Medicaid rates. * Child's unearned income is subtracted from the monthly maintenance. ** Prior approval must be requested for any special service costing over \$500 per service or annually. Special services are limited to services listed in 441 IAC 201.6(600).</p>			

PROVISIONS OF AGREEMENT

A. Purpose

This agreement has been entered into for the purpose of facilitating the legal adoption of the named child and to aid the adoptive family in providing proper care for this child. This agreement shall remain in effect regardless of the state in which the adoptive parents are residing.

B. For Initial Agreements

Each prospective adoptive parent agrees that he or she intends to adopt the named child and has signed this document before finalization of the adoption for the purposes of receiving an adoption subsidy.

C. Maintenance Payments

If provided for by this agreement, the amount of the daily cash payment (i.e., maintenance subsidy) is based on the age and needs of the child and the circumstances of the adoptive parents. The amount of payment has been negotiated by mutual agreement between the adoptive parents and the Department. This amount shall not exceed the maximum allowable maintenance payments this child received in foster care.

Adjustments in subsidy payments may be made automatically to reflect "across the board" changes and changes in the age of the child.

D. Medical Assistance

Medical benefits will be available to this child through Medicaid. If this child moves to another state and the child is IV-E eligible, medical assistance will be provided by the state of residence. If this child moves to another state and the child is not IV-E eligible, medical assistance will continue to be provided by Iowa. This is in compliance with the federal Consolidated Omnibus Budget Reconciliation Act (P.L. 99-272).

The Department adoption subsidy worker will instruct the family as to procedures to follow in Iowa or another state for obtaining medical assistance. The family's medical insurance, or services that meet the child's needs and are available free of cost to the family, shall be used before the expenditure of subsidy funds.

E. Special Services

Reimbursement is provided to the adoptive family, or direct payment may be made to a provider for supplies, therapy, counseling, or other allowable special services required by the child's special needs and not covered by Medicaid. Inpatient services shall not be provided with subsidy funding.

The family's insurance or services that meet the child's needs and are available free of cost to the family shall be used before the expenditure of subsidy funds. Special services costing over \$500 must have prior approval, whether the child resides in the state of Iowa, or out of state.

If a family resides in another state, allowable special services needed by the child will be provided by Iowa, if they are not provided by the state in which the child resides. To access special services, the family should contact the public agency worker in the state of residence to apply for the special services. If the special service is unavailable to the family in the state of residence, the family shall contact the Department adoption subsidy worker in Iowa for procedures to follow.

F. Responsibilities of the Family

The family shall explore and use other services available to them free of charge to meet the needs of the child, such as federal, state, and local governmental programs and private assistance programs, before the expenditure of subsidy funds.

The family shall add the adopted child on their private health insurance, unless prohibited by the insurance company.

The family shall provide verification of payment, such as receipts for nonmedical special services paid directly by the family.

The family shall pay service providers (i.e., attorneys) for services provided when the Department has paid the family directly for the cost of special services.

The family may request a review of the subsidy agreement whenever there is a change in the family's circumstances or a change in the child's needs.

The family shall notify the Department within 30 days of a change of address. If the family is moving to a state other than Iowa, the family should also request information on how to apply for medical assistance and special services (if applicable) in the new state of residence.

For subsidy negotiation, the family shall also provide a written description of the family's circumstances and an explanation of how meeting the special needs of the children affects the family's circumstances.

The family shall immediately notify the Department in writing, if they are no longer legally responsible for the support of the child or are no longer supporting the child.

G. Termination

Subsidy payments will cease upon termination of this agreement. Termination will occur in any of the following circumstances:

- ◆ The child reaches the age of 18, and does not have a physical, mental, behavioral, or emotional disability which warrants continued assistance until the child reaches age 21.
- ◆ The child marries.
- ◆ The adoptive family is no longer using the maintenance payments to support the child.
- ◆ The child dies or the adoptive family of the child dies (one parent in a single-parent family; both in a two-parent family).
- ◆ The terms of this agreement are concluded.
- ◆ The family submits a written request for termination.
- ◆ The family is no longer legally responsible for the child's needs.

I. Appeal

The Department will provide an *Adoption Notice of Decision*, 470-0745, to the family that includes the appeal rights.

The family may appeal the Department's decision to reduce, change, or terminate adoption assistance in accordance with rules and procedures of the Department's appeal process. Information on the appeal process may be obtained from the Department adoption subsidy worker or from the Department liaison for appeals.

<i>Signed for the Department by:</i>		<i>Signed for the family by:</i>	
Adoption Worker	Date	Mother	Date
Service Area Administrator	Date	Father	Date
Effective Date of Agreement		Date Signed Agreement Given to Family	

COMMENTS AND RESPONSES ON ARC 2101B
Changes to Adoption Subsidy Rules
Hearings Held September 10-11, 2003

77 people attended the eight public hearings on the proposed adoption subsidy rules. In addition, the following people provided written comments, which are reflected in the summary below:

Marianne and Harry Abel-Lipschutz, foster and adoptive parents, Cedar Falls	Wendy and Jeff Lawrence, adoptive parents, West Des Moines
Karen Adams	Alyson Linquist, adoptive parent, Lake Mills
Jennifer Anderson, adoptive parent, West Des Moines	Nancy Magnall, parent liaison Mark8255@aol.com
Jodi Angus, Mt. Ayr	Ron and Chris McClain, adoptive parents, Dubuque
Joe and Connie Ankenbauer, adoptive parents, Dedham	Mike and Barb Meyer, adoptive parents, Kellogg
Mary Berry, foster and adoptive parent, Mapleton	Shirley Mitchell, adoptive family, Des Moines
Connie Briggs, adoptive parent	Stacy Monroe, adoptive parent
Mike C	Pam Noel
Alice Carter, foster parent	LaDonna Overton, adoptive parent and parent liaison
Jim and Sharon Clark, adoptive parents, Graettinger	Valerie Owens, foster parent, Winterset
Robert and Angela Cramblett, adoptive parents	David and Sherri Pollard, adoptive parents
Jill and Joe Crees, adoptive parents	David and Nancy Probst, adoptive parents
Julie Cronk, foster and adoptive parent	Lynnda Purcell
Linda Dean, adoptive parent, Des Moines	Debbie Reiter, Waterloo area
Francis Dohmen, adoptive parent	Tim and Michelle Roth, adoptive parents
Roshelle Downey, foster and adoptive parent, Harrison County	Jeffrey Sallay, adoptive parent
Kelly Duehr, adoptive parent, Dubuque	Linda Sawyer, Ames
Susan Fenceroy	Susan Schiltz, adoptive parent
? Fessley	Debra Schoenfeld, adoptive parent, Mapleton
Mildred Floyd, adoptive parent, Clive	Eric and Melissa Shafer, adoptive parents, Runnells
Sandi Frank	Judy Silverman
Cynthia Gale, adoptive parent, Des Moines area	Dan and Traci Sliefert, foster and adoptive parents, Alta
Ruth Graham, adoptive parent, Des Moines	Virginia Slight, foster and adoptive parent, Des Moines
Dennis Hankemeier, adoptive parent, Maquoketa	Linda Sweet, adoptive parent, Altoona
Dawn Hare, adoptive parent	Carroll and Mary Ellen Taylor, adoptive parents, Mt. Ayr
Jacinta Hart, adoptive parent, IFAPA	Justin Teitle, attorney, Davenport
Don and Lois Hartman, adoptive parents, Birmingham	Sandra and Denny Thompson, adoptive parents
Gerry and Sylvia Holtrop, adoptive parents, Hospers	Craig and Loretta Tool, adoptive parents
Deb Hoyt, foster and adoptive parent, Runnells	Mike Underberg
Stan and Karen Ingles, adoptive parents, Davenport	Mike and Nancy Van Trump, adoptive parents, Mt. Pleasant
Stephen Jester, adoptive parent	Cynthia Ward, adoptive parent
Sue Kuehl, Des Moines	Heidi Wertjes, adoptive parent
Robert Lambert, adoptive parent	Lila Wiley, adoptive parent
Gary and Sandra Launderville, adoptive parents	Patricia Wright, adoptive parent

COMMENT: These changes will **discourage adoption**.

(25 comments: Overton, Silverman, Launderville, Crees, Carter, Wiley, Ward, Mike C, Downey, Abel-Lipschutz, Angus, Sleifert, Shafer, Anderson, Owens, Lawrence, Schoenfeld, Berry, Hankemeier, Meyer, McClain, Clark, Van Trump, Linquist, Sioux City hearing)

I am worried that the most difficult, treatment children will not get adopted without childcare payment as part of subsidy. (Silverman)

With the economy as it is people are being as careful as can be and not willing to take on added risks financially. (Launderville)

Many prospective adoptive parents may wish to adopt a child at risk, but fear the necessary, cost prohibitive therapeutic treatment. Crees

By limiting daycare you have just put a limit on the number of foster parents that want to take a younger child and can't because of the cost. (Carter)

We would think that you as an agency would be thrilled to have children adopted and to help out these families so that children are able to stay in a stable family. This is not going to help children have this, this is going to make children stay in the foster care programs and be bounced from home to home. Those that can't will be put in residential facilities, institutions, or running away, living on the streets and found dead some where. (Wiley)

The financial support and shared commitment of the state and federal government in subsidizing resource parents so these children can grow up in homes is absolutely essential for helping to recruit new resource parents and to retain prospective foster parents who are most likely to become adoptive parents. Abel-Lipschutz

By pulling subsidies, you are going to end up back where we started where children are stuck in the system for way too long. Lawrence

People will crunch the numbers and see that it's financially a better deal and less a burden and just continue to foster kids who could have been part of a family (Schoenfeld)

COMMENT: DHS is **renegeing** on promises made to families

(14 comments: Overton, Slight, Wiley, Hare, Pollard, Taylor, Lambert, Noel, Lawrence, Schoenfeld, Berry, Sweet, Floyd, McClain)

...we and other adoptive parents were promised the department would always be there for us, they wouldn't desert us. That is exactly what the department is doing with these proposed changes... can we not believe anything (Overton)

DHS workers say to us as foster/adoptive parents? I, as well as, many other adoptive parents feel betrayed by the system who we thought we were helping. (Overton)

We find that this is very wrong and unfair to all adoptive parents.... Taking away subsidy and child care services from us is just going to cause additional hardship to all families. This is also money that some families have been receiving for several years. We feel that if this is done, those families that are really struggling and having a lot of ups and downs, you are going to see those families returning children back into state care and then you are going to have a lot more expenses to care for the children. (Wiley)

I can not believe that you would promise one thing then change it in mid stream!!!! We kept our promise to adopt and care for these kids as if they were our natural born children. (Hare)

Since we have already signed a subsidy agreement that included the child care assistance, how can that change now? This "new" information was not provided to us at the time of adoption. What is our right to due process?... I have many ... concerns that this process will not be handled fairly or uniformly from family to family. (Pollard)

I believe it is wrong to change the rules for those of us who made decisions to raise our special needs children based upon help which was available. (Taylor)

We were told that we would continue to get a subsidy along with child care ...How can you just ignore your obligation to us as a foster/adoptive family and take that way now? We have kept out commitment so far and I expect the state to keep its commitment to us. (Lawrence)

I hope in the future DHS will not use the offer of financial assistance as a means of getting children off the foster care roster who would otherwise remain on there for life. Permanency means forever. Not just until you decide to change the rules. (Sweet)

When I adopted my grandchildren I was promised daycare as I can't afford to pay for it and I must work or I couldn't survive. If I can't work, we will not make it and I didn't adopt them just so I couldn't take care of them properly. (Graham)

While I understand the need to control expenses, I believe that the state's budget constraints should not be used as an excuse to renege on promises made to adoptive families at the times we agreed to adopt. Bringing economic stresses to the families of children who are already placed is not in the children's best interest. (Floyd)

COMMENT: How will this affect my family?

(14 comments: Holtrop, Dohmen, Briggs, Monroe, Roth, Wright, Schultz, Ward, Cramblet, Wertjes, Ingles, Tool, Jester, Underberg)

COMMENT: **General support**

(13 comments: Frank, Silverman, Purcell, Magnall, Probst, Thompson, Hartman, Adams, Sleifert, Kuehl, Mitchell, Reiter, Clark)

I would hope that our state will not leave our adoptive parents out struggling on their own. Instead, we need to be supporting their efforts to be excellent providers, not just financially, but in all realms. I believe that you will find, in the end, support of your adoptive parents will bring much benefit to everyone, especially the children your agency works so hard to protect. (Probst)

[Except for counting income and restricting child care] the rest of the changes seem fair. (Reiter)

I feel that when parents adopt a child or children they become a family and should raise those children on their own just like my parents did. They should not be given or allowed any more available resources than any other parent, biological or adopted period!! These parents should not be treated any different than any other parent. (Kuehl)

If a person is so willing to adopt a child and raise it as though it was their own, then they should do it on their salary (just like normal people.) When we have kids we do without some things in order to raise the kids, which I feel that people who adopt should do. (Adams)

One rule I feel is OK to change is: if receiving a subsidy for maintenance and you work outside the home, why you need child care paid for also. (Clark)

COMMENT: The Department should not limit subsidy for **child care**.

(12 comments: Carter, Slight, Wiley, Mark8255, Noel, Abel-Lipschutz, Cronk, Anderson, Owens, Schoenfeld, Sweet, Fenceroy, Ames hearing, Sioux City hearing)

A maintenance subsidy or daycare subsidy should not be cut or reduced because many of the foster/adoptive parents cannot afford to care for the child with the help that is provided. (Carter)

I depend on the child care. Without it would kill us financially. ...If we have to pay for childcare out of our subsidy check, then we need more money for our subsidy. We don't get enough to cover the expenses as it is. (Slight)

[Child care] monies are available to give families breaks and to

be able to become refreshed and start over again from bad situations. Wiley

This is an ill-conceived plan to eliminate day care assistance period. Telling a parent they can only use an eligible program 20 mile away is a joke. (Mike 8255)

The maintenance subsidy as it is now, does not cover child care expenses, especially when you are dealing with a child that has significant emotional and/or behavioral problems. Few families would be able to afford to care for such children. (Noel)

Have you ever lived with a treatment level child for any period of time? If so, then you would recognize the need for parents to have reliable child care available. You are taking the benefits away from the children who need it the most. (Anderson)

It is the treatment and enhanced level children who need these day care funds most. These funds assure that the child receives the tools, if you will, to manage their disability with in the home setting, keeping them from being placed in a residential setting which would be a more expensive and restrictive environment and less beneficial to the child in the long run. ...To say that these families receive an additional \$14/day and they should use that to cover day care is preposterous. How many hours of day care would that cover for a child with this high level of special needs? A person providing respite or Supportive Community Living services for someone under the MR or Ill and Handicapped waiver, receives anywhere from \$7.50 to 12.50/hour. Where am I going to find quality people trained to handle a child with mental retardation and bi-polar, oppositional defiance disorder, obsessive compulsive disorder, attention deficit hyperactivity disorder, sexual abuse, fetal alcohol effects, reactive attachment disorder, post traumatic stress disorder, dysthymia and sensory integration dysfunction and pay them less than they can get working for providers like Easter Seals or Intrepid? (Owens)

Child care assistance payment should not be based on the family's income. It should be available as it has been in the past because of the welfare of the child. (Fenceroy)

COMMENT: The Department should not eliminate eligibility for children who are **at-risk** of developing future special needs.

(5 comments: Crees, Hartman, Ankenbauer, Lambert, Duehr)

It is very difficult to make an accurate diagnosis of the effects of abuse suffered in utero until a child reaches school age or many years beyond. Psychological damage as a result of a child's abuse may not manifest itself until well into the teenage years of a child. Therefore, it does not make any sense to require a diagnosis that simply cannot be made yet to qualify for a subsidy. (Crees)

In the change of definition of "special needs" children, I would ask that a family could apply subsequently to adoption for subsidy upon diagnosis of mental retardation or emotional/physical disability. These issues are not always diagnosed immediately, and are certainly worthy of recognition. (Hartman)

We are asking that you rethink taking away the stipend for children who are at risk of having mental retardation and/or mental disabilities. Maybe you could just cut their amount to a lesser amount? Any stipend would be security for the future for these kids and parents. (Ankenbauer)

COMMENT: The Department should not eliminate eligibility for minority children **under 2**.

(5 comments: Fessley, Mike C, Noel, Abel-Lipschutz, Teitle)

I strongly do not think Iowa should eliminate the adoption subsidy for minority children under age 2. This restricts lower income minority parents from adopting babies. Most minority babies would go to middle-class white families. These children would probably lose their culture and minority identity. (Fessley)

People will simply hold off on adopting the child until the child turns two. (Noel)

I am very concerned about the implications of this proposal...Scientific studies continue to reveal that every month which passes in the life of a child between ages 0 and 3 is a loss of opportunity to form critical brain pathways and make developmental advancements required for future growth. Any change in policy which may have the effect of increasing delay in the adoption of the children is not in the best interest of the children... [If] the state of Iowa is not prepared to eliminate all subsidies on the basis of race or ethnicity for children of any age, this proposed change should be rejected. (Teitle)

COMMENT: The Department should not terminate subsidy at age **18**.

(5 comments: Sawyer, Carter, Abel-Lipschutz, Floyd)

Please consider changing new subrule 201.3(5) to cover children until high school graduation. Many do not complete high school until after age 18

The problems that the children have had in their past put them behind. Many will not graduate from high school until they are 19 or 20 years old. (Floyd)

COMMENT: The Department should not restrict subsidy available for **sibling groups**.

(4 comments: Hart, Hare, Abel-Lipschutz, Floyd)

Restricting the definition of special needs to a sibling group of three rather than 2 doesn't cover the needs that arise for the second sibling when there is a high-risk child. (Hart)

The \$1 per day for a sibling group does not sound like a lot, but it could cut a significant amount when several children are involved. It is important that the state does not do anything to discourage the placement of sibling groups together. Being taken from their birth parents is traumatic enough without having to lose their brothers and sisters as well. (Floyd)

COMMENT: There will be problems in implementing subrule 201.6(6) on repayment of increased **home equity** attributable to modifications paid for by subsidy
(3 comments: Frank, Hartman, Abel-Lipschutz, Council Bluffs hearing)

I think that the "increased equity" is going to be a sticky point, so either the amount of original reimbursement should be refunded, or set a cap of "X" dollars over the initial reimbursement amount determined by a percentage of sale profit realized by the families. (Hartman)

You're going to spend more money on state's attorneys fighting it. (Ames hearing)

How would we [DHS] ever know and what would we do about it? (Council Bluffs hearing)

I believe this suggested change in the rules is an invitation for disaster in its practical application....I can see where the Department may have an interest in recouping this money, but it appears that the reality of trying to determine exactly how much more a person is able to see their home for on the open market as a result of these modification is difficult if not impossible. It seems to me that a large number of factors can clearly impact the price of a home, and that the Department trying to invade the private real estate transactions of adoptive parents would not only be a bureaucratic nightmare to implement but would be a poor public relations move on the part of the State Iowa. ... The prospect of having to give money back to the Department would make it difficult for adoptive families to know their own financial circumstances on an ongoing bases, and would probably result in litigation between some of these families and the State. (Teitle)

COMMENT: Concerning subrule 201.5(2) on counting **income**
(3 comments: Fessley, Abel-Lipschutz, Teitle)

It makes no sense that a child receiving child support be allowed to get richer over a child from a family who received social security or veterans benefits. This is just PURE Discrimination. (Fessley)

All these changes dismiss the incredible non-fiduciary commitment of many families to taking on the challenge of adopting special needs children in Iowa. (Abel-Lipschutz)

There are several different types of unearned income that children may legally receive which do not fall under the category of child support. ...I ask that you ...decide specifically what types of unearned income should wipe out a subsidy which may otherwise be needed by an adoptive family. (Teitle)

COMMENT: There shouldn't be subsidy for **foreign** adoptions.
(3 comments: Carter, Roth, Lambert, Ames hearing)

We are very upset that you would take money away from children from this country, and give \$2,000.00 to families who adopt from another country! (Roth)

If someone is willing to pay \$20,000 to bring in a Russian baby, I don't think they should get any help. (Ames hearing)

COMMENT: Suggesting other **alternatives**.

(2 comments: Fessley, Schoenfeld)

To be fair, the subsidy should be issued ONLY to families who need it. (Fessley)

Has anyone considered going after the bio parents who made these kids and who are supposed to be responsible for them for the cost of the state/foster parents/adoptive parents doing the job they couldn't/wouldn't do?? Even if parental rights are terminated? (Schoenfeld)

COMMENT: **legal fees** (1 comment: Teitle)

...the standard filing fees and court costs for an adoption are approximately \$125 to \$130...the caps proposed therefore mean that the legal fees are limited to approximately \$570 for the first child and \$370 for subsequent children whose petitions are filed individually...There are very few attorneys who would generally limit their legal fees to these amounts...paying based on the suggested caps would result in a far less than appropriate fee for the engagement of private counsel...It is my suggestion that the subsidy cap be set at \$1000 for the first child and \$700 for each additional child adopted at the same time.

RESPONSE:

The purpose of the Adoption Subsidy Program is to secure a permanent family for a child who because of special needs might otherwise remain in an institution or in foster care until adulthood. A subsidy is intended to help with the cost of the often expensive services children adopted with special needs may require. Types of subsidies include:

- Maintenance subsidy - a monthly payment to assist in covering cover the cost of room, board, clothing and spending money.
- Special Services Subsidy - reimbursement to adoptive families, in addition to the maintenance subsidy, for child care (required by the child's special needs), legal fees, medical and therapeutic services (not covered by Medicaid) and services and equipment the child requires.

If an adoptive family does not have medical insurance that covers a special needs child, Medicaid is provided.

If an adoptive placement cannot be made without a subsidy, then an adoptive subsidy agreement is negotiated with adoptive parents based on the needs of the child and the circumstances of the family.

Adoptive parents are expected to provide for a child in the same manner they would provide for a child that is born to them. The adoption subsidy program is limited to addressing only the special needs of a child and is not an economic assistance program or a continuation of foster care. Whenever possible other services available to the family free of charge should be used before subsidy funds are expended. This is in accordance with IAC 441--201.5(2)

The proposed rules remain consistent with the goal of achieving permanence for foster children in foster care. This is accomplished by assisting adoptive families, through the subsidy program, to manage the specific needs of a child until adulthood (age 18 or 21).

The proposed rules do not eliminate or reduce maintenance payments that adoptive families currently receive, based on subsidy agreements negotiated before December 31, 2003.

The rules could however, impact families after December 31, 2003, that adopt a normal and healthy minority child under the age of two or a child at risk of developing problem in the future. The child would be eligible for a subsidy at some point in the future whenever the child experiences difficulties.

The proposed rules do not eliminate the benefits of the special services subsidy, but revisions are proposed (i.e. child care) to ensure that other community resources are used before subsidy funds are tapped.