

441—201.10(600) Determination of ongoing subsidy eligibility and suspension of subsidy payments.

201.10(1) Eligibility for continuation of adoption subsidy shall be evaluated when the department has reasonable cause to suspect the adoptive parent is not providing financial support, or is no longer legally responsible for the child. This includes, but is not limited to, the following circumstances:

- a.* The child is placed in out-of-home care.
- b.* A person alleges the parents are not providing financial support to the child.
- c.* A person other than the parent is awarded legal custody of the child.
- d.* A person other than the parent is appointed as the guardian of the child.
- e.* The child has applied for food assistance or other benefits.
- f.* The child has not resided with the parent for the past 30 consecutive days.
- g.* The parent is incarcerated.
- h.* The parent is awaiting trial for criminal charges related to harm caused to a child in the home.

201.10(2) The department shall contact the child's parents via letter, telephone, or electronic or other means and document such efforts.

201.10(3) The child's parents shall provide documentation of support, including receipts, to the department upon request.

201.10(4) Upon completion of the department's evaluation of the child's continued eligibility for adoption subsidy, the department shall issue a written notice to the parents documenting required ongoing actions by the parents, including an expectation of continued cooperation by the parents to provide documentation of ongoing support to the child at the request of the department.

201.10(5) The department shall suspend adoption subsidy payments if the parents refuse to cooperate or if the department is unable to determine whether the parents are providing financial support or are legally responsible for the child.

201.10(6) Through a Notice of Decision, the department shall terminate the Adoption Subsidy Agreement upon a finding that the child is not being financially supported.

201.10(7) When the child has resided out of the parental home for 30 consecutive days, the department shall request a renegotiation of the Adoption Subsidy Agreement with the parents to reduce or suspend payments as agreed to by the parents.

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