



**State of Florida
Department of Children and Families**

**Jeb Bush
Governor**

**Lucy D. Hadi
Secretary**

DATE: September 1, 2006

TO: District Administrators
Community-Based Care CEOs
Zone Family Safety Program Administrators
Zone Economic Self-Sufficiency Program Administrators

THROUGH: Greg Keller, Assistant Secretary for Operations
David Fairbanks, Director of Provider Relations

FROM: Patricia Badland, Acting Director, Office of Family Safety

SUBJECT Maintenance Adoption Assistance

The Administration for Children and Families (ACF) has advised the state of inconsistencies between federal law and state law, administrative rule and operating procedures, related to adoption assistance. The issues they have identified include:

1. The State is imposing an additional eligibility criterion by requiring adoptive parent(s) to sign an adoption assistance agreement each year.
2. The State cannot terminate or suspend Title IV-E adoption assistance due to the failure of adoptive parents to complete an annual renewal.
3. The State cannot continue to impose eligibility again at the time of the adoption petition. (This eligibility criterion is a recent change in Federal law; an ACF Information Memorandum dated June 9, 2006 explained this change.)
4. The State cannot require a determination of financial need for *all* children receiving maintenance adoption assistance. Children who are SSI eligible at the time of adoptive placement or at the time of filing the adoption petition or who were previously adopted and IV-E eligible do not require a determination of financial need.

While proposed amendment to Florida Statutes cannot be considered until the next legislative session, we are proceeding to amend the administrative rule and operating procedures based on federal law.

This memorandum includes modifications to current procedures that are now in effect and your prompt action to effectuate any needed changes is greatly appreciated. New procedures, best practice guidelines and some questions/answers are provided in the attachment to assist with implementation of these significant changes.

1317 Winewood Boulevard, Tallahassee, Florida 32399-0700

Mission: Protect the Vulnerable, Promote Strong and Economically Self-Sufficient Families, and Advance Personal and Family Recovery and Resiliency

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As you determine how this change will impact your local practices and system, I encourage you to consider that the time your staff have spent on the purely administrative function of completing adoption assistance renewals be utilized to provide post-finalization case management – a move that can enhance your post adoption services program, a necessary component of a comprehensive system of care.

Please distribute this memorandum and attachment to adoption case managers and child in care workers. If you have questions, comments, or would like to request technical assistance regarding this memorandum or adoption assistance, please contact Kathleen Waters, Adoption Program Manager, at 850-922-5055.

Attachments

cc: Zone Adoption Specialists
Zone Child in Care Specialists
Zone Revenue Maximization Specialists