



State of Florida
Department of Children and Families

Charlie Crist
Governor

George H. Sheldon
Secretary

DATE: June 18, 2009

TO: Regional Directors

THROUGH: Elwood McElhane, Acting Assistant Secretary for Administration
John Cooper, Acting Assistant Secretary for Operations
David L. Fairbanks, Assistant Secretary for Programs

FROM: Alan Abramowitz, State Director, Office of Family Safety

SUBJECT: Termination of Maintenance Adoption Assistance Payments at the Child's 18th Birth Month.

PURPOSE: This memorandum clarifies when to terminate maintenance adoption assistance payments for a child who is turning age 18.

BACKGROUND: Maintenance Adoption Assistance (MAS) is available for a special needs child if he or she meets all of the eligibility criteria and the Department enters into an adoption assistance agreement with the prospective adoptive parent(s) prior to the finalization of the adoption.

Once an adoption assistance agreement is signed and dated by all parties -- namely, the adoptive parents and a Department or Community Based Care (CBC) representative, there are only three conditions under which adoption assistance payments can be terminated:

1. a child turns 18 years of age;
2. the Department determines that the adoptive parents are no longer legally responsible for support of the child; or
3. the Department determines that the adoptive parents are no longer providing any support to the child.

This policy clarification focuses on the timing of ending the MAS payment when a child turns 18 years of age.

CURRENT SITUATION: There is inconsistency statewide when terminating the maintenance adoption assistance payment for a child reaching age 18. Some areas use the 18th birth month and some the birth day. Although there are various reasons for the inconsistency, the primary reason is no clear policy is in place for this matter. The Florida Auditor General cited this in the 2008 audit report on Title IV-E Adoption Assistance.

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

POLICY CLARIFICATIONS: DCF-CFOP 175-98: Effective July 1, 2009, a child is eligible to receive maintenance adoption subsidy (MAS) through the month of the child's 18th birthday unless he or she was born on the first day of the month. In this case, the MAS payment ends effective the last day of the month prior to the 18th birthday. For example:

- Johnny was born on September 14, 1991. He turns age 18 on September 14, 2009. Johnny's MAS payment must end on September 30, 2009.
- Mary was born on December 1, 1991. She turns age 18 on December 1, 2009. Mary's MAS payment must end on November 30, 2009, last day of the month prior to her 18th birthday.

ACTION REQUIRED: The Florida Administrative Code 65C-16 and the Department Operating Procedure 175-71 are being revised to reflect this clarification. In the interim, please make sure to inform appropriate Department and Community Based Care staff of this clarification. Based on this information, local processes may require changes.

Please disseminate this memorandum to all staff within the Department and contracted entities involved in the provision of adoption services. This includes case managers for out of home care and adoption services, revenue maximization specialists, Children's Legal Services, ACCESS Florida Child in Care (CIC) public assistance specialists, contract managers, and those responsible for data management and fiscal operations.

CONTACT INFORMATION: If you have any questions regarding this memorandum, please contact Mukweso Mwenene at 850-488-8762. Mr. Mwenene's electronic mail address is Mukweso_Mwenene@dcf.state.fl.us.

cc: Angie Boyer, Acting Comptroller
Jennifer Lange, Director, ACCESS Florida