



State of Florida  
Department of Children and Families

Charlie Crist  
Governor

Robert A. Butterworth  
Secretary

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**DATE:** March 14, 2008

**TO:** Regional Directors

**THROUGH:** George Sheldon, Assistant Secretary for Operations *John Tapa For George Sheldon 3/17/08*  
Melissa Jaacks, Assistant Secretary for Administration  
David Fairbanks, Assistant Secretary for Programs *Dr. 12 P. L. L. L.*  
*Patricia Badland*

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

**SUBJECT:** Termination of Maintenance Adoption Assistance Payments  
on a child's 18<sup>th</sup> Birthday

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**Purpose:** This memorandum serves as a reminder for staff to stop the maintenance adoption subsidy when a child reaches the age of 18.

**Action Required:** Please (1) disseminate this memorandum to circuit administrators and community-based care lead agencies, and ask them to share it with all staff who are involved in the payment of maintenance adoption subsidies; (2) remind appropriate staff that adoption subsidy payments must stop once the child reaches his/her 18<sup>th</sup> birthday. Each region and community-base care lead agency is encouraged to review its payment data in the Integrated Child Welfare Services Information System (ICWSIS) to identify payments to individuals who are over the age of 18 and make required corrections.

**Background:** Florida Statutes and Florida Administrative Code provide for monthly maintenance adoption assistance payments for support and maintenance of a special needs child until the child's 18th birthday (F.S. 409.166(4)(c); F.A.C. 65C-16.012(2)). In addition, our title IV-E state plan provides that adoption assistance payments must terminate when a special needs child attains the age of 18 (section 3, page 6). In short, the maintenance adoption subsidy payment must cease the month following the child's 18<sup>th</sup> birthday. For example, a child turns age 18 on February 18, 2008, his Maintenance Adoption Payment (MAS) payment must stop February 29, 2008.

The recent state audit brought to our attention the necessity to review ICWSIS and determine if there are 18 year olds receiving maintenance adoption subsidy. Our review of the data in ICWSIS indicates that we continue to pay adoption subsidies on behalf of 13 individuals who have reached their 18<sup>th</sup> birthday. The Regions with "over 18" MAS payment will receive a separate communication regarding the specific cases so corrective action can occur.

1317 Winewood Boulevard, Tallahassee, Florida 32399-0700

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

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In addition, maintenance adoption assistance payments must be terminated when staff determines that the adoptive parents are no longer legally responsible for support of the child; or that the adoptive parents are no longer providing any support to the child. An adoptive parent is considered no longer legally responsible for the support of a child when parental rights have been terminated or when the child becomes an emancipated minor, marries, or enlists in the military. An adoptive parent is considered as no longer providing support when he or she ceases to maintain the home for the child or provide material, services or financial support (Social Security Act - section 473(a)(4); 45 CFR 1356.40(b)).

**Contact Person:** If you have any questions or need clarification regarding this memorandum, please contact Mukweso Mwenene at (850) 922-0510 or through electronic mail at Mukweso\_Mwenene@dcf.state.fl.us.

Attachment

cc: Dana Sweat, Staff Director, Administrative Services

**Table 1: MAS Recipients in Dec 2007 born before 12/1/1989**  
Run date: 2/8/08

Last Name	First Name	DOB	Age
S	BENJAMIN	Nov-87	20.16
T	TILTON	May-88	19.59
K	JOHN	Feb-89	18.87
L	ALICE	Feb-89	18.87
S	DANIEL	Feb-89	18.86
C	TIMOTHY	Feb-89	18.86
G	JAMES	Aug-89	18.39
J	HEATHER	Aug-89	18.34
J	MICHAEL	Sep-89	18.28
F	NATHAN	Nov-89	18.15
H	SIMONE	Nov-89	18.15
S	AUTUMN	Nov-89	18.12
W	BRIAN	Nov-89	18.12
P	CHRISTOPHE	Nov-89	18.11

Data Source:FSFN

Note: Queried MAS Listing from MAS Report.mdb to calculate based on DOB and a service date in December 2007

**MAS Recipients in Dec 2007 born before 12/1/1989**  
Run date: 2/8/08

Lead Agency	County	Last Name	First Name	DOB	Age
HILLSBOROUGH KIDS, INC.	Out-Of-State	S	BENJAMIN	03-Nov-87	20.1587953
BIG BEND COMM. BASED CARE	Leon	T	TILTON	30-May-88	19.5865845
SARASOTA YMCA	Pinellas	K	JOHN	17-Feb-89	18.8665298
BIG BEND COMM. BASED CARE	Leon	L	ALICE	17-Feb-89	18.8665298
BIG BEND COMM. BASED CARE	Leon	S	DANIEL	19-Feb-89	18.8610541
BIG BEND COMM. BASED CARE	Gadsden	C	TIMOTHY	21-Feb-89	18.8555784
CBC OF FLAGLER & VOLUSIA	Volusia	G	JAMES	10-Aug-89	18.3901437
CBC OF FLAGLER & VOLUSIA	Volusia	J	HEATHER	27-Aug-89	18.3436003
CBC OF FLAGLER & VOLUSIA	Volusia	J	MICHAEL	19-Sep-89	18.2806297
SARASOTA YMCA	Pinellas	F	NATHAN	05-Nov-89	18.1519507
FAM SER OF METRO ORLANDO	Orange	H	SIMONE	05-Nov-89	18.1519507
SARASOTA YMCA	Pinellas	S	AUTUMN	15-Nov-89	18.1245722
CBC OF FLAGLER & VOLUSIA	Volusia	W	BRIAN	18-Nov-89	18.1163587
SARASOTA YMCA	Pinellas	P	CHRISTOPHE	22-Nov-89	18.1054073

Data Source:FSFN

Note: Queried MAS Listing from MAS Report.mdb to calculate based on DOB and a service date in December 2007