

CF OPERATING PROCEDURE
NO. 170-12

STATE OF FLORIDA
DEPARTMENT OF
CHILDREN AND FAMILIES
TALLAHASSEE, December 15, 2018

See also FAC 65C-16.005
FAC 65C-16.0131

Child Welfare

ADOPTIONS

This operating procedure provides guidance and minimum procedure requirements to promote adoption of foster children who have an adoption goal or who have been determined to be on the path toward adoption. The guidance includes the necessary processes and services for the child and the potential or approved adoptive parent(s) prior to and after the adoption is finalized.

This operating procedure is applicable to all Department child welfare staff, child welfare community-based providers, child welfare subcontracted case management organizations, and all circuit/regional child protective and sheriff's office child protective investigations staff.

BY DIRECTION OF THE SECRETARY:

(Signed original copy on file)

JOSHONDA GUERRIER
Assistant Secretary for
Child Welfare

SUMMARY OF REVISED, DELETED, OR ADDED MATERIAL

The operating procedure was amended to create Chapter 2, Extension of Maintenance Adoption Subsidy, as established in s. 409.166, Florida Statutes.

This operating procedure supersedes CFOP 170-12 dated December 22, 2017.

OPR: Office of Child Welfare

DISTRIBUTION: X: OSGC; ASGO; Region/Circuit Child Welfare staff.

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Chapter 1
MAINTENANCE ADOPTION SUBSIDY

(Draft Pending)

Chapter 2

EXTENSION OF MAINTENANCE ADOPTION SUBSIDY

2-1. Purpose. Extension of Maintenance Adoption Subsidy is available to prospective adoptive parents who adopt a special needs child who age 16 or 17 years old. Through the provisions of extension of maintenance adoption subsidy, young adults are able to receive maintenance adoption subsidy until the age of 21.

2-2. Definitions.

a. "Extension of Maintenance Adoption Assistance Agreement" is a legally binding written contract that outlines the terms and conditions for an extension of maintenance subsidy.

b. "Extension of Maintenance Adoption Subsidy" means benefits provided to a family for a child who meets the eligibility criteria established in s. [409.166\(4\)](#), Florida Statutes (F.S.).

c. "Qualifying Activity" is activity in which a young adult is required to participate in order to receive Extension of Maintenance Adoption Subsidy after turning 18 years old. A qualifying activity includes the following:

- (1) Completing secondary education or a program leading to an equivalent credential;
- (2) Enrolled in an institution which provides post-secondary or vocational education;
- (3) Participating in a program or activity designed to promote, or remove barriers to, employment;
- (4) Employed for at least 80 hours per month; or,
- (5) Documentation that they are incapable of doing any of the above due to a medical condition.

2-3. Determination of Extension of Maintenance Adoption Subsidy.

a. The purpose of the Extension of Maintenance Adoption Subsidy is to make available to prospective adoptive parents' financial aid that would enable them to adopt a special needs child who is 16 or 17 years of age. Every adoptive family adopting a child at the age of 16 or 17 must be advised of the availability of Extension of Maintenance Adoption Subsidy and the purpose for which it is intended.

b. Extension of Maintenance Adoption Subsidy payments may be made until the young adult reaches age 21, if the child is engaged in one of the qualifying activities specified in paragraph 2-2c above.

c. The young adult and the family's need for subsidy must be determined prior to the young adult's 18th birthday and no subsidy payment will be made until after the young adult turns 18 years old and all parties have signed the "Extension of Maintenance Adoption Assistance Agreement Between DCF, Young Adult and Adoptive Parents Regarding Subsidy Payments and Services" (form CF-FSP [5433](#), available in DCF Forms).

d. If the Department or Community-Based Care Lead Agency (CBC) was responsible for the placement and care of the young adult, the CBC in the county where the court has jurisdiction is responsible for entering into the Extension of Maintenance Adoption Assistance Agreement and paying

the Extension of Maintenance Adoption Subsidy, even if the young adult and family live in another county.

e. If the Department or CBC was not responsible for the placement and care of the young adult at the time of adoption, the CBC in the adoptive parents' county of residence is responsible for determining whether the young adult meets the requirements to receive the Extension of Maintenance Adoption Subsidy. If so, that CBC must enter into the Extension of Maintenance Adoption Agreement and pay the Extension of Maintenance Adoption Subsidy.

f. When the need for the Extension of Maintenance Adoption Subsidy is not determined prior to the child's 18th birthday and the adoptive parents feel they have been wrongly denied the subsidy benefits on behalf of an adopted child, they have the right to appeal the denial pursuant to Chapter [120](#), F.S. If it is found that the subsidy was wrongly denied, retroactive payment will be made dating back to the date the family requested the subsidy in writing.

g. If an enhancement to the Extension of Maintenance Adoption Subsidy is needed that exceeds the statewide standard foster care board rate and the young adult's initial subsidy amount, medical and/or mental health evaluations shall be required to document the need for the enhancement. Medical and/or mental health evaluations must be no more than 12 months old.

h. The CBC or subcontracted adoption agency staff shall inform the adoptive parent(s) that the Extension of Maintenance Adoption Subsidy, unlike foster care board rate payments, is not intended to cover the complete cost of the young adult's care. The Extension of Maintenance Adoption payment is intended to be a continuation in assisting the adoptive parent with the extra costs associated with supporting the young adult with special needs.

i. The determination of the monthly Extension of Maintenance Adoption Subsidy is based on the needs of the young adult at the time of the negotiation and the projected future needs of the young adult, based on the family and medical history of the young adult and birth family or, for adoptions finalized on or after January 1, 2019, as stated in s. [409.166\(4\)](#), F.S.

j. An Extension of Maintenance Subsidy may be negotiated up to 100% of the statewide foster care board rate. A subsidy may exceed 100% of the statewide foster care board rate only when an exception is granted by the Department's regional managing director or designee and documented on the "Maintenance Adoption Subsidy Approval" (form CF-FSP [5077](#), available in DCF Forms). Requests for exceptions must be in writing. In determining whether to grant an exception, the regional managing director or designee shall consider the medical, behavioral, and therapeutic needs of the young adult at the time of the negotiation, as well as the projected future needs of the young adult based on the mental health, substance use and/or misuse, and medical history of the young adult and birth family. In no case shall the subsidy exceed the foster care maintenance payment for which the young adult is or would be eligible if the young adult had been placed in a family foster home. The Extension of Maintenance Adoption Subsidy is not intended to cover services which can be obtained through family insurance, Medicaid, Children's Medical Services, medical subsidy, or through special education plans provided by the public school district.

k. The "Extension of Maintenance Adoption Assistance Agreement" must be signed and dated by all parties prior to the young adult's 18th birthday and uploaded into the post adoption case in the FSFN file cabinet. The effective date of the agreement is the date the young adult turns 18 years old. Payments may not be made for any months in which there is no Extension of Maintenance Adoption Assistance Agreement in place and/or the child is not participating in a qualifying activity.

l. The child welfare professional shall advise the family that it is their responsibility to notify the Department or CBC of any change in circumstances, including moving out of state, no later than 48 hours after the change.

m. The Extension of Maintenance Adoption Assistance Agreement remains in effect until whichever of the following occurs first:

(1) The young adult reaches 21 years of age.

(2) The young adult no longer meets one of the qualifying activities specified in paragraph 2-2c of this operating procedure.

(3) The adoptive parents are no longer providing any support to the young adult, the young adult marries, or the young adult enters the military. Support includes emotional and/or financial support, even in situations where the young adult is no longer living in the home.

(4) The young adult dies.

(5) The adoptive parent(s) die.

n. If the adoptive parent and young adult have not provided documentation that the young adult is participating in a qualifying activity, the Department or designee party must retain the maintenance subsidy payment until such documentation is provided.

o. The adoptive parent and young adult can re-enter the Extension of Maintenance Adoption Subsidy Program until the youth reaches the age of 21 if they provide documentation to support that the young adult meets one of the qualifying activities pursuant to paragraph 2-2c of this operating procedure.

p. Adoptive parents may request an increase in the maintenance subsidy after the Extension of Maintenance Adoption Assistance Agreement was approved if the increase is being requested due to increased needs of the young adult or a change in the family's ability to meet the needs of the young adult.

q. The negotiation of any increase shall be based on the family foster, therapeutic foster, or medical foster home board rate at the time of the request. Requests for increases must be submitted in writing by the adoptive parents to the CBC who issued the subsidy payment and approval shall be based on the merits of each case.

r. If the increase request is approved, retroactive payment will be made dating back to the date the family requested the increased subsidy in writing.

s. If the increase request is denied, the designated Department staff shall send a denial letter with notification of the adoptive parents' right to appeal the denial pursuant to Chapter [120](#), F.S. If it is found that the increase was wrongfully denied, the effective date of the new subsidy will be the date the written request for an increased was received. A new Extension of Maintenance Adoption Assistance Agreement must be signed by all parties with the new approved amount documented.

t. No change shall be made to an Extension of Maintenance Subsidy without concurrence of the adoptive parents except as provided by federal regulation or state law. The Extension of Maintenance Adoption Assistance Agreement is not transferable to another caregiver.

2-4. Documentation Prior to 18 Years Old.

a. Adoptive parents who enter into the initial adoption assistance agreement when the child was 16 or 17 years old, must elect into the Extension of Maintenance Adoption Assistance program.

b. Prior to the child's 18th birthday, an Extension of a Maintenance Adoption Assistance Agreement (EAAA) must be executed by adoptive parents, the child, child welfare professional, and regional department staff, if necessary.

c. Written notification regarding the need to execute the EAAA and program requirements must be mailed to the adoptive parents 60 days prior to the child's 18th birthday.

d. If the EAAA is not received prior to the child's 18th birthday, an additional attempt to notify the adoptive parents should occur 30 days prior to the child's 18th birthday. Notification may include telephonic, email, or other correspondence

e. Upon receipt of the EAAA from the adoptive parents, supporting documentation that the young adult meets one of the qualifying activities must be attached.

f. The EAAA must be signed by the CBC within 10 business days of receipt by the agency. The EAA signed by all parties must uploaded into FSFN under the Image Category of Adoption and Image Type of Adoption Assistance Agreement.

g. Extension of Maintenance Adoption Subsidy payments are not authorized until all parties have signed the agreement and supporting documentation of the qualifying activity has been received by the designated child welfare professional to process payment.

2-5. Documentation Post 18 Years Old.

a. Documentation for qualifying activities include, but are not limited to:

(1) Completing secondary education or a program leading to an equivalent credential.

(a) Copy of the most recent report card documenting that the young adult is in good standing based on his or her academics and attendance.

(b) Copy of the young adult's attendance record.

(c) If the young adult has an IEP, a copy of young adult's IEP must accompany one of the items above.

(2) Enrolled in an institution which provides post-secondary or vocational education.

(a) Copy of the most recent transcript documenting that the young adult is in good standing based on his or her academics and attendance.

(b) A letter from the academic advisor, on the institution's letterhead, stating that the young adult is in good standing based on his or her academics and attendance

(3) Participation in a program or activity designed to promote or remove barriers to employment.

(a) Copy of the most recent transcript documenting the young adult is in good standing based on his or her academics and attendance

(b) A letter from the academic advisor, on the institution's letterhead, stating that the young adult is in good standing based on his or her academics and attendance

(4) Employed for at least 80 hours per month.

(a) Copies of the most recent pay stubs that equate to at least 80 hours per month.

(b) A letter from the employer, on the employer's letterhead, stating that the young adult is employed and has worked a minimal of 80 hours per month.

(c) Documentation that the young adult is incapable of doing any other qualifying activities due to a medical condition.

b. A young adult who is on a semester, summer, or other break, but was enrolled in the school the previous semester and will be enrolled after the break, is considered enrolled in school.

c. Re-determination of the young adult's participation in a qualifying activity must be completed by the child welfare professional every 6 months.

(1) Each re-determination must be completed in FSFN in the Youth/Young Adult module.

(2) Written notification requesting proof of continued participation in a qualifying activity may be sent to the adoptive parent/young adult 30 days prior to the 6-month re-determination period.

(3) Documentation regarding the young adult's continued participation in a qualifying activity must be received no later than 45 business days after the 6-month re-determination period.

(4) If the qualifying activity is not received, program eligibility in FSFN should reflect ineligible; adoption subsidy must be held and written notification to regional DCF staff should occur to initiate the letter of denial and inform the recipient of the Chapter [120](#), F.S., appeal process.

(5) If the Department prevails in the denial process, the young adult's program eligibility should remain ineligible, Medicaid will end, and the EAAA must be terminated.

d. Documentation received is considered current if the young adult was engaging in a qualifying activity within 30 business days of redetermination.

e. All documentation to support that the young adult is engaged in a qualifying activity must be uploaded into the FSFN File Cabinet under the respective drop-down (e.g., education documentation under Education, employment information under Employment, etc.).

2-6. Readmission to Extension of Maintenance Adoption Subsidy Program.

a. The adoptive parent(s) and young adult who were previously receiving an Extension of Maintenance Adoption Subsidy payment must provide documentation that that the young adult currently meets one of the qualifying activities.

b. A new Extension of Maintenance Adoption Assistance Agreement does need to be executed at the time of readmission if the child has been terminated from the program.

Chapter 3

ADOPTION APPLICANT REVIEW COMMITTEE

3-1. Purpose. The Adoption Applicant Review Committee (AARC) is designed to provide consultation and assistance on child-specific home studies in which the child welfare professional is recommending a denial or an adoption case that presents challenging issues.

3-2. Definitions.

a. "Adoption Applicant Review Committee Member" is an individual who has completed the required prerequisites, provides consultation on cases as prescribed in Rule 65C-16.005(9)(a), Florida Administrative Code (F.A.C.), and aids in determining the final recommendation submitted to the department.

b. "Adoption Applicant Review Committee Chair" is an Adoption Applicant Review Committee Member designated by the Community-Based Care Lead Agency (CBC), who has completed the required adoption prerequisites, that will prepare and facilitate the AARC, and complete the final recommended report to be provided to the department.

c. "Adoption Applicant Review Committee Participant" is an individual who has specific knowledge of the child and/or the prospective adoptive parents that would be beneficial for Adoption Applicant Review Committee Members to hear.

d. "Adoption Competency Training" is a department approved in-depth training that provides child welfare professionals and clinicians the necessary skills when working with children and families in the area of adoption.

3-3. Adoption Applicant Review Committee Members and Participants.

a. CBCs must ensure that an AARC consists of a minimum of five individuals who meet the following prerequisites:

(1) Have completed the department's approved Adoption Competency Training.

(2) Have no personal or current professional relationship to any of the children or prospective families being reviewed.

b. The AARC Members shall consist of at least one representative each from the CBC, the sub-contracted case management agency who has jurisdiction of the case (if applicable), and a department representative. All individuals must meet AARC member requirements.

(1) A CBC AARC Member must be an individual with final decision-making authority.

(2) The representative from the sub-contracted case management agency cannot directly supervise the adoption case manager whose case is being reviewed.

c. AARC participants that should be encouraged to attend the meeting should include, but not limited to, the following:

(1) Dependency Case Manager(s) and Supervisor;

(2) Guardian ad Litem;

(3) Licensed Mental Health Counselor; and,

(4) Individual(s) who have been involved in the child's case.

d. Applicant(s) who have retained private counsel may request for their attorney to attend the AARC as a participant. Upon notification of the private counsel attendance at the AARC, the CBC or designee must notify Children's Legal Services or equivalent.

3-4. General Requirements.

a. Each CBC must establish a minimum of two days in a month when AARCs will be held in their service area(s). These dates should be shared with the sub-contracted agency and all other pertinent stakeholders.

b. AARC staffings must be held timely and meet the standard time frame outlined in Rule 65C-16.005(9), F.A.C.

c. When the need for an AARC has been determined, the Request for Review by Adoption Applicant Review Committee (form CF-FSP 5448, available in DCF Forms) must be completed by the adoption case manager and provided to the AARC Chair.

d. The adoption case manager must ensure the following available items are submitted with the Request for AARC Review:

(1) Initial adoption home study and most recent adoption addendum home study;

(2) Initial foster care licensing home study and most recent addendum (if the applicant has been previously licensed, also provide the initial home study);

(3) Foster parent Corrective Action Plans and referrals (if applicable);

(4) Background screenings (if the AARC is a result of a background related matter include arrest information);

(5) Current Child Study;

(6) Termination of Parental Rights Order;

(7) Most recent court order(s) that address placement and visitation; and,

(8) Any medical, mental health, behavioral, or educational assessments for the child and prospective adoptive parent (if applicable).

e. The Request for AARC Review and documents must be provided to the AARC members no less than seven business days before the AARC convenes.

f. AARC members are responsible for reviewing documentation prior to the staffing. If additional information is needed, then the request for such documentation needs to occur prior to the date of the staffing.

g. The adoption case manager shall notify the prospective adoptive parent about the need for an AARC and their right to be present at the staffing no less than seven business days before the AARC convenes.

3-5. Procedure.

a. The AARC chair is responsible to ensure each AARC member understands their role and responsibilities regarding their participation on the committee.

(1) The AARC members are to take into consideration the nature of each case to ensure the best interest of the child is met as outlined in Rule 65C-16.002, F.A.C.

(2) AARC members are to discuss and make a recommendation regarding the prospective adoptive parent's ability to meet the short-term and long-term needs of the child.

b. The AARC chair is responsible to ensure each AARC participant understands their role and responsibilities regarding their presence at the AARC.

(1) Participant(s) must be able to speak to the short-term and long-term needs of the child;

(2) Participant(s) must present information of the knowledge, skills, and abilities of the prospective adoptive parent to meet the short-term and long-term needs of the child;

(3) Participant(s) must be able to respond to clarifying questions from AARC members; and,

(4) Participant(s) may be asked to exit the meeting space to allow for additional discussion among the AARC members.

c. Each AARC member must complete the Adoption Applicant Review Committee Recommendation (form CF-FSP 5449, available in DCF Forms) that makes one or more of the following recommendations:

(1) The recommended approval of a prospective adoptive parent's application and/or home study with a written justification;

(2) The recommended denial of a prospective adoptive parent's application and/or home study with a written justification; or,

(3) Additional follow up items needed before providing a final recommendation.

d. The AARC or designee must document the reason for the AARC, individuals present, and a summary of the staffing in the meetings module in FSFN.

e. The AARC chair or designee must upload any relevant documents that were reviewed by the AARC members in the meetings module in FSFN.

f. The AARC chair is responsible for providing a written report regarding the overall recommendation of the AARC to the Region Family Safety Program Office for recommended denials within ten business days of the committee's decision.

g. When the final decision regarding the prospective adoptive parent determines the outcome of an adoption home study, the adoption case manager shall update the adoption home study to reflect the decision.

3-6. Regional Department Review and Outcome Approval.

- a. The Regional Managing Director (RMD) will be responsible for the review of all recommended denials submitted by the AARC Chair to the department.
- b. The RMD must meet the following requirements prior to reviewing the recommendations of the AARC:
 - (1) Have completed the department approved Adoption Competency Training for Regional Managing Directors; and,
 - (2) Have no personal or current professional relationship to any of the children or prospective families being reviewed.
- c. The RMD shall review the information that was considered when the AARC made their recommendation and may consider additional relevant information about the child or prospective adoptive parent.
- d. The RMD must provide written correspondence to the AARC Chair regarding the final decision of approval or denial of an applicant within fifteen business days from receipt of the recommendation.
- e. If additional information is requested by the RMD regarding the child or prospective families being reviewed, the RMD will have ten business days after receipt of the information to provide a final decision of approval or denial to the AARC Chair.

3-7. Out of County Supervision (OCS) and Interstate Compact on the Placement of Children (ICPC).

- a. If the need for an AARC exists and the prospective adoptive parent does not reside in the county of jurisdiction or the state where the court has jurisdiction, the CBC with jurisdiction of the case must hold the AARC.
- b. The OCS or ICPC adoption case manager, the supervisor, and other individuals who have on-going involvement with the child and/or prospective adoptive parent must be invited to participate in the staffing.
- c. For OCS cases, when the final decision is made regarding the prospective adoptive parent determines the outcome of an adoption home study, the OCS courtesy worker shall update the outcome of the adoption home study to reflect the final decision of the department.
- d. An updated adoption home study with the updated recommendations must be provided through the normal OCS process to the sending county.

Chapter 4

YEARLY ADOPTION TARGETS

4-1. Purpose. Maintenance Adoption Subsidy is funded through federal and state funds. To ensure that the Department is constructing accurate annual Legislative Budget Requests for Maintenance Adoption Subsidies, a standardized statewide method for establishing annual adoption finalization targets is essential.

4-2. Common Population Adjustments and Barriers. Common population adjustments and barriers are circumstances specific to an individual case that may impact the timeliness of an adoption finalizing, such as the following:

a. "Children over the age of 12" refers to a child described in Rule 65C-16.005(a), Florida Administrative Code, who must consent to the adoption.

b. "Large sibling group" consists of three or more children when recruitment for a single adoptive home is taking place.

c. "Medically complex" is a child with physical, hearing or visual impairments that significantly affect the child's day to day functioning.

d. "Developmental disability" refers to a child who has a developmental disability of autism, cerebral palsy, intellectual disabilities, Down syndrome, Prader-Willi syndrome, Phelan-McDermid syndrome, spina bifida, or children age 3-5 who are at a high risk of a developmental disability who are being served by Agency for Persons with Disabilities.

e. "Extensive behavioral challenges" refers to a child's behaviors that are of such intensity, frequency or duration that the physical safety of the child or another person is negatively impacted.

f. "Sexually reactive" refers to a child who has been exposed to or has had direct contact with inappropriate sexual activities, sexual behaviors or relationships and has then begun to engage in or initiate sexual or sexualized behaviors, activities, interactions or relationships that include excessive sexual play, inappropriate sexual comments or gestures, mutual sexual activity with others or sexual molestation and abuse of other children.

g. "Judiciary trends" refers to pertinent changes in judicial leadership and practices that directly impact the outcome of cases with the permanency goal of adoption.

h. "Termination of parental rights appeal" is the period of time in which the First District Court of Appeal hears and renders a decision regarding the ruling of the termination of parental rights of the biological parents.

i. "Adoption applicant appeal time" refers to the period of time in which a Chapter 120, Florida Statutes, appeal hearing occurs and a ruling is provided.

j. "Interstate Compact on Placement of Children (ICPC) adoption home study time frame" refers to the period of time in which the completion and receipt of an ICPC adoption home study request to a receiving state is returned to the sending Community-Based Care Lead Agency.

k. "Out-of-County Services (OCS) adoption home study time frame" refers to the period of time in which the completion and receipt of an OCS adoption home study request to a receiving county is returned to the sending Primary Community-Based Care Lead Agency.

l. “Children returned to care due to dissolutions” refers to children who were previously adopted who have returned to foster care due to the termination of parental rights of their adoptive parent(s).

m. “Multiple families applying to adopt a child” refers to the review of more than one application to adopt a specific child.

n. “Crossover youth” refers to any youth who has experienced maltreatment and has engaged in or has had involvement with the juvenile justice department. Within the juvenile justice and child welfare systems, a crossover youth can have both cases closed, one open and one closed, or both cases open.

4-3. Target Setting.

a. The Office of Child Welfare will review adoption data and trends from the previous fiscal years and establish the initial recommended target number of adoptions to be finalized for the upcoming fiscal year by each Community-Based Care (CBC) Lead Agency.

b. The Office of Child Welfare will pull data from Florida Safe Families Network (FSFN) for a 12-month period beginning January 1st through December 31st of the preceding year to be used to calculate the adoption target.

c. The Adoption Target Formula. The adoption target formula is $(\text{Group 1} + \text{Group 2}) \times (1 + \text{Group 3}) = \text{Target Number of Adoptions to be finalized in upcoming fiscal year}$ (see example in Attachment 1 to this chapter). The “groups” are calculated as follows:

(1) Group 1.

(a) Calculate the statewide number of children adopted by December 31st in the previous calendar year who on January 1st of the previous calendar year had achieved Termination of Parental Rights and had a goal of adoption.

(b) Divide by the statewide number of children available on January 1st of the previous calendar year who met the criteria of having achieved Termination of Parental Rights and having a goal of adoption.

(c) Multiply the fraction calculated in steps (a) and (b) above by each CBC Lead Agency’s children available who have achieved Termination of Parental Rights and have a goal of adoption on January 1st of the current calendar year.

(2) Group 2.

(a) Calculate the statewide number of children adopted by December 31st in the previous calendar year who are not in Group 1, but were in out-of-home care 12 months or longer on January 1st of the previous calendar year.

(b) Divide by the statewide number of children who are not in Group 1, who were in out-of-home care 12 months or longer on January 1st of the previous calendar year.

(c) Multiply the fraction calculated in steps (a) and (b) above by each CBC Lead Agency’s children not in Group 1 who were in out of home care 12 months or longer on January 1st of the current calendar year.

(3) Group 3.

(a) Calculate the statewide number of children not in Group 1 or 2 who were adopted between January 1st and December 31st of the previous calendar year.

(b) Divide by the statewide total number of adoptions between January 1st and December 31st of the previous calendar year.

d. Adoption targets also will be calculated based on the 75th percentile of the statewide mean of children available for adoption in the fiscal year.

4-4. Review and Analysis of Cases.

a. The recommended adoption target for each CBC Lead Agency with the associated client list report will be forwarded to the respective Department Regional Leadership for dissemination between January 1st and March 15th.

b. The Department Regional Staff will review the recommended adoption target and discuss historical trends for their region.

c. The CBC Lead Agencies will conduct an initial review of the client list associated with the adoption target and identify common population adjustments and barriers to the recommended adoption target.

d. Department Regional Staff and CBCs will review the data and conduct case analysis between March 16th and April 30th of the state fiscal year for adoption target data from the preceding state fiscal year. The review will serve as a validation of the recommended target number of adoptions.

4-5. Negotiations.

a. The CBC Lead Agency must submit the agency's projected target of adoptions to be finalized and supporting documentation to the Department Regional Leadership team.

b. Formal and/or informal negotiations between the Department Regional Team and CBC Lead Agency shall occur between May 1st and May 31st.

c. If an agreement cannot be reached, additional consultation regarding adjustments to the recommended adoption target numbers will be held between the Department Regional Leadership team, the CBC Lead Agency, the Office of Assistant Secretary of Operations, the Assistant Secretary for Child Welfare and the Office of Child Welfare.

d. A detailed client list review is required with all recommended targets from the CBC Lead Agency.

e. Upon agreement of the adoption target, the CBC Lead Agency will provide written notice to the Department Regional Staff as to the acceptance of the adoption target.

f. The Department Regional Contract Manager will forward the proposed adoption target number to the Assistant Secretary of Operations, the Assistant Secretary for Child Welfare and the Adoption Policy and Program Specialist within the Office of Child Welfare.

4-6. Approval of Adoption Target Number.

a. Upon agreement, the Assistant Secretary for Operations will provide notice to the Department Regional Office of the approved final adoption target number.

b. The Department Regional CBC Contract Manager will forward the final approved adoption target number to the CBC Lead Agency.

c. The Department Regional Contract Manager will update the CBC Lead Agency's contract to reflect the final approved adoption target number and notify the Adoption Policy and Program Specialist of the final adoption finalization target.

d. CBC Lead Agencies are responsible for notifying all contracted case management organizations regarding the final approved adoption target.

e. All adoption target numbers must be approved and finalized no later than the last business day in June with an effective date of July 1st of the new state fiscal year.

f. See Attachment 2 to this chapter for an overview of the Adoption Target Setting/Negotiation Process.

Adoption Target Formula Example

Total

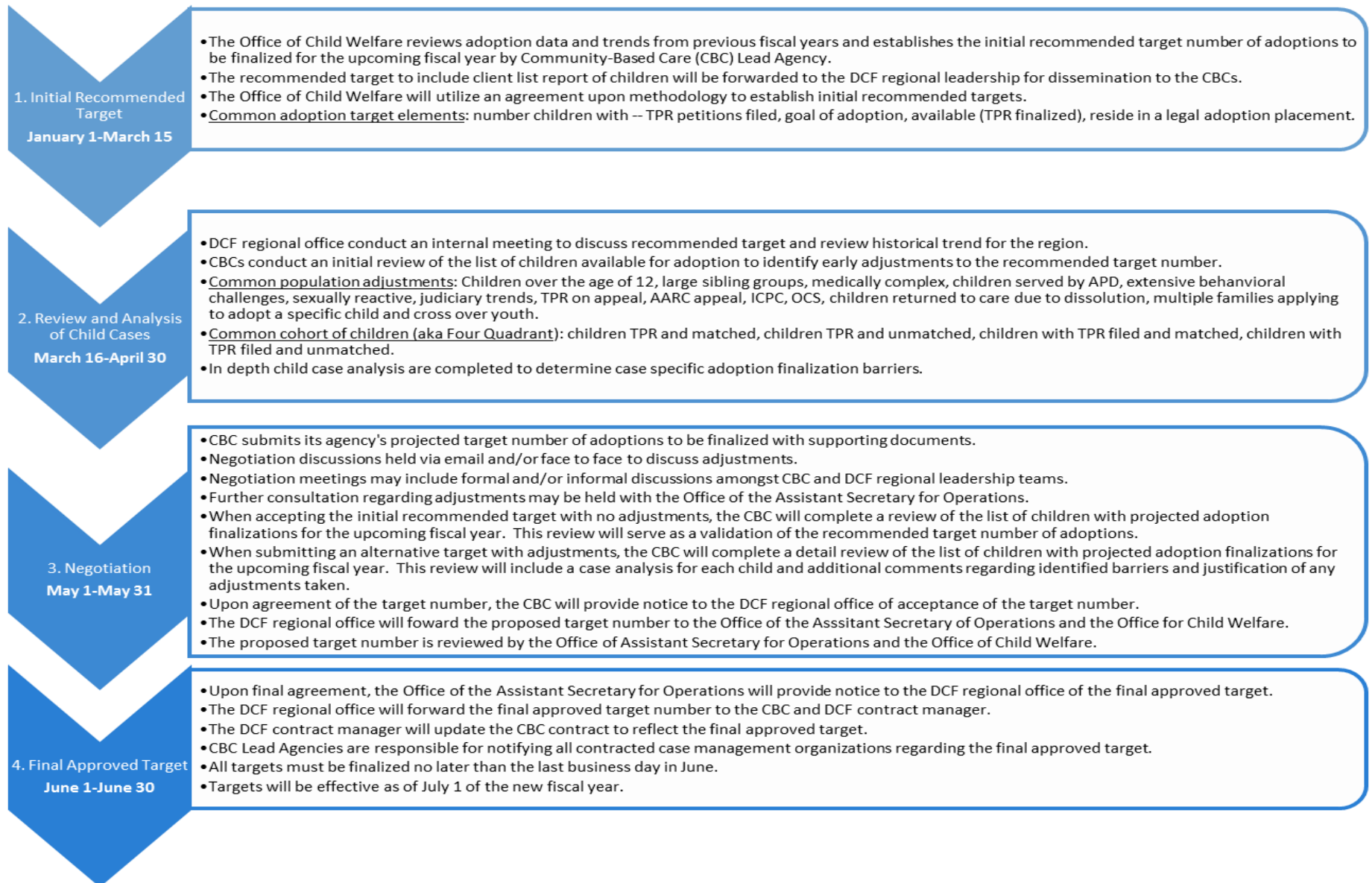
$$(\text{Group 1} + \text{Group 2}) \times (1 + \text{Group 3})$$

Group 1		Group 2		Group 3
Statewide children adopted by 12/31/2015 who met both criteria below on 1/1/2015	X	Statewide children adopted by 12/31/2015, not in Group 1, who were in out-of-home care 12 months or longer on 1/1/2015	X	Statewide children not in group 1 or 2 who were adopted between 1/1/2015 and 12/31/2015
Statewide children available who met both criteria on 1/1/2015		Statewide children not in Group 1 who were in out-of-home care 12 months or longer on 1/1/2015		Statewide total adoptions between 1/1/2015 and 12/31/2015

1. TPR finalized; and
2. Goal of adoption

*Dates can be adjusted with regards to the date of data pull

Adoption Targets Setting/Negotiation Process



Chapter 5

ADULT ADOPTIONS

5-1. Purpose. Many young adults who age out of foster care established no permanent legal connection to an adult. Adult adoption can create stability and a “sense of belonging.”

5-2. Definition. “Adult Adoption” is the legal process by which a legal child-parent relationship is created and the individual is a young adult over age of 18.

5-3. Preparation of Young Adults for an Adult Adoption.

a. It is recommended that all young adults in extended foster care be consulted regarding adult adoptions and provided reading materials regarding:

- (1) Benefits of an adult adoption;
- (2) Requirements for an adult adoption; and,
- (3) Procedures to complete an adult adoption.

b. It is recommended that all significant parties such as the young adult, potential adoptive parent, case manager, adoption and independent living staff, guardian ad litem, relatives, attorneys assisting with adult adoptions discuss the pros and cons of adult adoptions. Topics to be discussed include:

- Siblings?
- (1) What will be my ongoing contact and relationship with birth family members?
 - (2) Is adult adoption in my best interest?
 - (3) Do I have to change my first and/or last names?
 - (4) Hotline and criminal history of the potential adoptive parent may be obtained if needed.
 - (5) What will the relationship of the young adult and potential adoptive parents look like after finalization? (For example: Will I live with them? Can I be added to adoptive parents' health insurance?)
 - (6) What do the family members, especially children of the potential adoptive parents, think about the adoption?
 - (7) Do I lose any college/post-secondary benefits?

5-4. Benefits.

a. The young adult will “legally” belong to a family and have a permanent relationship with a caring adult.

b. It may be possible for the young adult to be added to the health insurance of the adoptive parent and this option may also be considered. It is recommended that the CBC case manager assist the young adult and adoptive parent with this process, if needed. The Medicaid Office should be notified if the young adult's name is changed as a result of the adoption.

c. The young adult may be young enough to qualify for car insurance under the adoptive parents' policies.

d. If the adoptive parents pass away without a will, the young adult is entitled to the same inheritance as the birth children.

e. If a young adult meets all the qualifications for Postsecondary Education Services and Support (PESS), an adult adoption will not affect his/her eligibility or ability to receive these services.

f. If the young adult is receiving disability benefits at age 18 from his/her biological parents, the young adult may continue to receive those benefits if he/she is still in high school (no postsecondary education) until age 19. If the young adult is still in high school at age 19, the benefits will continue for 3 months after the young adult's 19th birthday or the end of the school term.

g. If the young adult is receiving SSI after the age of 18, the adoptive parent's income will not be considered in a redetermination. It may be necessary for the adoptive parent to become the payee for the SSI benefit.

h. Young adults are eligible to receive Pell Grants and the Florida Tuition waiver (until age 28) pursuant to s. [1009.25\(c\)](#), Florida Statutes (F.S.).

5-5. Procedures.

a. For young adults whose biological parents are deceased or whose parental rights were terminated prior to turning age 18, the following items will be needed:

- (1) A copy of the termination of parental rights order for biological parent(s); or,
- (2) A copy of the biological parents' official death certificates.

b. It is recommended that the case manager assist the young adult and prospective adoptive parent(s) in obtaining the necessary documents.

c. Although an attorney is not required, an attorney is recommended. For assistance in identifying an attorney, please visit www.floridaschildrenfirst.org website.

d. The prospective adoptive parent must complete the Petition for Adult Adoption and have it notarized.

e. The young adult must complete the Consent of Adult Adoptee form and have it notarized. The Consent of Adult Adoptee must also be witnessed by two individuals. The case manager may be one of the two witnesses.

f. If the young adult is married, the Consent of Adult Adoptee's Spouse form must be completed by the spouse and notarized. The Consent of the Adult Adoptee's Spouse form must also be witnessed by two individuals. The case manager may be one of the two witnesses.

g. If the young adult chooses to change his/her name, a name change packet must be completed.

h. All of the documents, including the termination of parental rights order and/or death certificates must be filed with the Family Law Clerk of Court. The documents must be filed in the county where the adoptive parent resides.

i. The court costs, including the filing fees, may be waived by the court. It is recommended that the attorney and young adult request a waiver of court costs in order for the court to consider waiving all or some of the court cost.

j. After a Judge is assigned to the case, it is recommended that the case manager, young adult, or adoptive parents contact the Judicial Assistant in the Judge's office to request that a hearing be set in order for the Petition to Adopt to be heard by the court.

k. Once a hearing date is determined, a Notice of Hearing form must be completed and sent to all parties.

l. For biological parents whose parental rights were not terminated prior to the young adult reaching the age of 18, the Family Law Form must be completed in order to serve the biological parents with notification of the hearing regarding the Petition to Adopt.

m. If proof cannot be provided that the biological parents were served, the court will not approve the adoption petition.

n. All of the documents, including proof that the biological parents have been served, must be provided to the Clerk of Court in the Family Law Division and filed with the court in the county where the adoptive parents reside.

5-6. Post Finalization.

a. The Final Judgment Disposition/Order for Adoption will be completed and signed by the Judge.

b. The adult adoptee and adoptive parent should obtain a Certified Statement of Final Decree of Adoption following the hearing.

c. It is recommended that after five business days from the hearing, the adult adoptee and adoptive parent obtain a signed certified copy of the final order from the Clerk of Court's office where the adoption finalization was held.

d. The adult adoptee and adoptive parent must obtain an amended birth certificate.

e. If the young adult was born in Florida, the adoptee and adoptive parents must apply for a new birth certificate at www.floridahealth.gov/certificates/certificates/birth/index.html.

f. Application for Amendment to Florida Birth Certificate and a Certified Statement of Final Decree of Adoption should be submitted to Florida's Bureau of Vital Statistics.

g. If the young adult was born in another state, it is recommended that the adoptee and the adoptive parent contact the county court in the state where the adoptee was born to determine the procedures for amending the birth certificate in that state. The following link provides contact information for the birth certificate requests in other states www.cdc.gov/nchs/w2w/florida.htm.

h. If the adult adoptee chooses to change his/her first and/or last names, all legal documents and government forms must reflect the new name(s). Documents that must be updated include, but are not limited to, Social Security Card, Driver License, Immigration Documents, Medicaid and any other government benefits.

i. The following websites contain information and forms that will assist in the adult adoption process.

(1) www.floridaschildrenfirst.org/adult-adoption-resources/

(2) <http://www.floridaschildrenfirst.org/wp-content/uploads/2011/06/Adult-Adoption-Blank-Forms.pdf>

Chapter 6
PRIVATE ADOPTION

(Draft Pending)

Chapter 7
POST ADOPTION

(Draft Pending)

Chapter 8

ADOPTION COMPETENCY TRAINING

(Draft Pending)

Chapter 9

POST ADOPTION COMMUNICATIONS

9-1. Purpose. Post Adoption communication is a legislatively mandated requirement found in s. [39.812](#), F.S., intended to increase post adoption support provided to adoptive families. The creation of the Post Adoption Services feature within Florida Safe Families Network (FSFN) will provide a more consistent approach to the delivery and documentation of post adoption services for adoptive families.

9-2. Definitions.

a. The “Community-Based Care of Origin (CBC of Origin)” is the Community-Based Care Lead Agency (CBC) who is responsible for the payment of the monthly adoption maintenance subsidy to the adoptive family.

b. The “Community-Based Care of Residence (CBC of Residence)” is the Community-Based Care Lead Agency where the adoptive family currently resides.

c. “1-Year Post Adoption Communication Family” is a family who adopted a child from the child welfare system on or after July 1, 2015, who will require a 1-Year Post Adoption Communication Contact 1 year from the family’s adoption finalization date.

d. “1-Year Post Adoption Communication Contact” involves reasonable efforts to contact the adoptive family one year after adoption finalization, which may include telephonic, email, or other correspondence.

e. A “Non-Face to Face Contact” involves contact being made by telephone, email, facsimile or other correspondence. These contacts can be documented as either attempted or completed.

f. “Post Adoption Communication-Interstate Compact (ICPC)” is the case note type in FSFN to document contacting families who meet the 1-year post adoption communication program requirements but reside outside of the state of Florida.

g. “Post Adoption Communication-Out of County Services” is the case note type in FSFN to document contact made regarding services offered as a part of the 1-year post adoption communication program to an adoptive family who resides in another county within the state of Florida.

h. “Post Adoption Service Page” is a page within FSFN that provides the ability to document post adoption services requested by families, services offered to the family and the service(s) provided to the family.

i. “Paid Service” is any service paid utilizing funds from the Community-Based Care Lead Agency (i.e., contracted DCF funds, grants or other CBC revenue).

j. “Non-Paid Service” is any service not paid by the Community-Based Care Lead Agency (i.e., Medicaid funded or community resources).

k. “Adoption Incentive Specialist” is the Office of Child Welfare Specialist that oversees the Post Adoption Communication Program, CBC Adoption Incentive Program, State Employee Adoption Incentive Program and the State Adoption Awards Program.

9-3. Procedures.

a. Community Based Care Lead Agencies must make reasonable efforts to contact all families who adopted on or after July 1, 2015 one year after their adoption finalization and document the contact(s) regardless of where they reside.

families:

- (1) The CBC of Origin is responsible for making reasonable efforts to contact adoptive

- (2) A minimum of three attempts to contact the adoptive family must be initiated.

- (3) The first contact attempted must be telephonic.

b. The CBC can determine the second and third method of contact (i.e., email, mail or face-to-face contact).

c. Each CBC may designate any employee to complete the 1-Year Post Adoption Communication Contact. However, it is best practice that the employee has adoption related experience and case management certification as a child welfare professional.

d. Initial contact must be made within 10 business days after the 1-year adoption anniversary date. All three (3) attempts must be completed within 30 business days from the 1-year adoption anniversary date.

e. Contact with adoptive parent within 30 business days prior to the 1-year adoption anniversary date will meet the requirement for the 1-Year Post Adoption Communication Contact. Earlier contact will not count as the required 1-year post adoption contact.

f. When the adoptive family does not reside within the CBC of Origin and requests services, the CBC of Origin will contact the CBC of Residence to explore and to identify services for the family in their local area. This request will be documented on the Post Adoption Services Page within FSFN.

g. The CBC of Origin is responsible for payment of post adoption services. The Department recommends that cost sharing be explored by the CBCs when a family does not reside within the county of the CBC of Origin.

h. Families who reside outside of state of Florida still must be contacted and contact must be documented in FSFN.

i. If a family who resides outside of the state of Florida makes a request for services, the CBC will contact the state agency in which the family resides to notify them that the family is in need of post adoption support and services.

9-4. Documentation.

a. The documentation of successful contact must be made within FSFN through the creation of a case note utilizing the case note category of Post Adoption Case and a case note type of the following:

- (1) 1-Year Post Communication – Telephone Contact.

- (2) 1-Year Post Communication – Email.

- (3) 1-Year Post Communication – Other Correspondence.

b. The case note types of 1-Year Post Adoption Communication require the selection of Non-Face-to-Face or Face-to-Face Contact to be selected. Additionally, the contact box must state completed to be deemed successful.

c. Documentation of all post adoption services being requested by a family and whether the requested services were referred for or not must be documented on the Post Adoption Services Page within FSFN.

d. If not referred, the reason for not completing the referral must be documented on the Post Adoption Services Page within FSFN.

e. The actual services for which the family was referred, whether paid or non-paid, must be documented on the Post Adoption Service Page.

9-5. Reports and Survey.

a. The Community-Based Care Lead Agency must submit the completed Department template annually which will include the following:

(1) The number of attempts made to contact each family.

(2) The number of successful attempts to contact each family.

(3) Services requested by families.

(4) Services offered to families.

(5) Services provided to families.

(6) If services were requested and not provided, the reasons why services were not provided.

(7) Any recommendations to improve communication regarding the post adoption program.

b. The Post Adoption Communication template is due to the Department on September 1st of each fiscal year.

c. An annual Post Adoption Services Communication Survey will be forwarded by the CBCs to all 1-Year Post Adoption Communication Families to fulfill one of the requirements outlined in s. [39.812](#), F.S.

Chapter 10

COMMUNITY-BASED CARE ADOPTION INCENTIVE PROGRAM

10-1. Purpose. The Community-Based Care Adoption Incentive program is a legislatively mandated requirement found in s. [409.1662](#), F.S. The purpose of the adoption incentive program is to advance the state's achievement of permanency, stability, and well-being for children in foster care who cannot be reunited with their families. The Department established the adoption incentive program to award incentive payments to Community-Based Care Lead Agencies (CBC) for achievement of specific and measurable adoption performance standards.

10-2 Definitions.

a. "Expressed Intent Date" is the date when a prospective adoptive parent has expressed the intent to adopt a child and all of the following has taken place:

- (1) The child is deemed legally free for adoption.
- (2) The prospective adoptive family has an approved adoption home study.
- (3) The Department has determined that consent will be provided to the prospective adoptive family.

b. "Legally Free for Adoption" is the date when the termination of parental rights is granted and the appeal period for the legal parents has expired.

c. "Full Disclosure Staffing" is a staffing that is facilitated by adoption staff that involves disclosing all known information as prescribed in s. [63.085\(2\)\(a\)](#), F.S.

d. "Adoption Transition Staffing" is a staffing that outlines the child's transition from one placement to an approved adoptive placement.

e. "Adoption Support Group" is a group that allows for the support, networking and sharing of adoption information.

f. "Permanency Roundtable Team" (PRT) is a structured meeting intended to establish legal permanency for youth by involving internal and external experts.

g. "Child Specific Recruitment" is an individualized recruitment plan that is specific to a particular child's background. When documenting this recruitment event in FSFN, the type of event is named Adoption Child Specific.

h. "General Recruitment" is a general recruitment event to increase the number of prospective adoptive parents. When documenting this recruitment event in FSFN, the type of event is named Adoption General Recruitment.

i. "Targeted Adoption Recruitment" is a recruitment event to increase a specific population of prospective adoptive parents. When documenting this recruitment event in FSFN, the type of event is named Adoption Targeted Population.

j. "Adoption Competency" is a training event specifically designed for mental health and child welfare professionals to equip them with knowledge and skills needed to offer services throughout each stage of the adoption process.

k. "CBC Adoption Incentive Year" is the time frame in which adoption incentive credits can be earned:

(1) State Fiscal Year 2016-2017: January 1, 2017-June 30, 2017.

(2) State Fiscal Year 2017-2018: January 1, 2018 - June 30, 2018.

(3) Each subsequent State Fiscal Year: July 1st - June 30th.

l. "Adoption Incentive Credit" is a credit assigned to a case that meets one of the adoption incentive performance standards and the required case documentation.

m. "Adoption Incentive Dollar Amount" is the incentive payment the Department allocates to performance improvement targets. The allocation is made in a manner that ensures that total payments do not exceed the amount appropriated for this purpose. The Department shall ensure that the amount of the incentive payments are proportionate to the value of the performance improvement.

10-3. Procedures.

a. Each CBC must submit documentation through their Regional DCF Contract Manager to the Adoption Incentive Specialist, during the specified time frames established by the Department.

(1) State Fiscal Year 2016-2017: April 12, 2017 for adoption finalizations between January 1, 2017–March 31, 2017; July 12, 2017 for adoption finalizations between April 1, 2017–June 30, 2017.

(2) State Fiscal Year 2017-2018: April 12, 2018 for adoption finalizations between January 1, 2018–March 31, 2018; July 12, 2018 for adoption finalizations between April 1, 2018–June 30, 2018.

(3) Each subsequent State Fiscal Year: January 12th and July 12th. If the 12th of January or July falls on the weekend, documentation will be due to the Adoption Incentive Specialist on the following business day.

b. Cases with Adoption and Foster Care Analysis and Reporting (AFCAR) errors will be returned for correction before consideration for receipt of the incentive.

c. Once received, the information will be verified for eligibility by the Adoption Incentive Specialist. Each CBC will have 5 business days to respond via email should there be any follow-up questions regarding their incentive request. All cases received after the final deadline will not be processed.

d. After eligibility has been verified, an email will be sent to the CBC notifying them of the case approval or denial. If denied, the reason for the denial will be included.

e. An additional email will be sent to the CBC notifying them of the amount of incentive dollars to be awarded once the incentive amount has been calculated.

f. CBC Incentive funds are non-recurring funds and should be spent within the contract terms and conditions of the CBC Lead Agency's contract.

g. The adoption incentive agreement must be amended into the CBC Lead Agency's contract no later than the last business day in June prior to the beginning of the new state fiscal year, and the amendment must have an effective date of July 1st of the new state fiscal year.

10-4. Documentation. The following items must be submitted using the Office of Child Welfare template (see CBC Adoption Incentivized Performance Standards, Attachment 1 to this chapter) for all cases being reviewed for adoption incentive credit:

- a. CBCs Name;
- b. Child's Name;
- c. Provider ID Number;
- d. FSFN ID Number – Pre-Adoptive Case;
- e. FSFN ID Number – Post Adoptive Case;
- f. Date of Final Order of Adoption\;
- g. County of Jurisdiction;
- h. Status of AFCAR errors; and,
- i. Applicable Performance Standard Category.

10-5. Reports and Surveys.

a. Each year the Department will complete an Annual Baseline Assessment that includes the requirements outlined in s. [409.1662](#), F.S., and other relevant indicators of adoption success found as a result of assessing the available data.

b. Each CBC will have seven (7) business days from date of receipt to make any comments or suggestions to the Annual Baseline Assessment.

c. Post Adoption Communication requirements as prescribed in s. [39.812](#), F.S., and the Annual Baseline Assessment requirements in s. [409.1662\(2\)\(a\)\(1-6\)](#), F.S., will be retrieved from FSFN.

d. The Annual Baseline Assessment requirement outlined in s. [409.1662\(2\)\(a\)\(7\)](#), F.S. will be retrieved from the annual adoption survey.

e. The Annual Baseline Assessment requirements outlined in s. [409.1662\(2\)\(a\)\(8\)](#), F.S., will be retrieved from the Department's correspondence with the CBC's.

f. CBC'S will forward the annual adoption survey to all adoption related stakeholders within their community by the date determined by the Department.

g. CBC's shall provide an expenditure report as to how incentive funds were expended. It is recommended that the CBC utilize the incentive funds towards adoption related services and programming. The expenditure report must be submitted to the Adoption Incentive Specialist by October 6th. If that date falls on a weekend, documentation will be due by the following business day.

CBC Adoption Incentivized Performance Standards

CBC's Name	Child's Name	Provider ID #	FSFN ID # Pre Case	FSFN ID # Post Case	Date of Final Order of Adoption	County of Jurisdiction	AFCAR Errors Yes or No	Achieved Incentivized Performance Standard (1)	Achieved Incentivized Performance Standard (2)

Chapter 11
STATE ADOPTION AWARDS

(Draft Pending)