

California Adoption Assistance- Who Do You Contact?

State Contact information

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Adoption Assistance- Who is Eligible?

A good place to start. Public adoption in California is administered by the California Department of Social Services (DSS), Children and Family Services Division (CFSD). DSS and CFSD links: www.dss.cahwnet.gov/cdssweb/ and www.childsworld.ca.gov/. DSS and CFSD adoption links: www.childsworld.ca.gov/CFSDAdopti_309.htm and www.dss.cahwnet.gov/cdssweb/Adoptions_166.htm.

- 1. What specific factors or conditions does your state consider to determine that a child cannot be placed with adoptive parents without providing financial assistance? (*"What is your state definition of special needs?"*)**

A child with special needs is defined as a child that has at least one of the following needs or circumstances that may be a barrier to placement or adoption without financial assistance:

- Three years of age or older
- Race, ethnicity, color, or language that is a barrier to adoption
- Member of a sibling group that should remain together
- Mental, physical, emotional, or medical disability certified by a licensed professional
- Parental background of a medical or behavioral nature that can be determined to adversely affect the development of the child

- 2. What are the eligibility criteria for your state-funded adoption assistance program?**

In order to be eligible for state-funded adoption assistance a child must be a special needs child as defined above, in foster care and not receiving federal Foster Care funds, or involved in private agency adoptions, and "at risk" of dependency should they not be adopted.

- 3. What is the maximum amount a family may receive in non-recurring adoption expenses from your state? Adoptive parents can receive reimbursement of certain approved, "one-time" adoption expenses incurred in the process of finalizing a special needs adoption.**

\$400.00 per child

- 4. Does your state enter into deferred adoption assistance agreements? In some states, adoptive parents can enter into an agreement in which they choose to defer the receipt of a Medicaid card, the monthly monetary payment, or both and can elect to receive the Medicaid card and/or monetary payment at another time.**

California offers deferred adoption assistance. If the adoptive family chooses not to apply for the Adoption Assistance Program (AAP) benefits, California requires the adoption agency to encourage the family to sign a deferred adoption assistance agreement.

- 5. When may adoption assistance payments and benefits begin in your state?**

Adoption assistance payments and benefits may begin in California at the time of placement.

- 6. How are changes made to the adoption assistance agreement in your state?**

- a. When can a parent request a change in the adoption assistance agreement?
- b. How does a parent request a change in the adoption assistance agreement?
- c. What if a parent does not receive the change they request in the adoption assistance agreement?

Adoptive parents can request a change in the adoption assistance agreement at any time they believe the needs of the child warrant a change in the adoption assistance agreement. Adoption assistance agreements are reviewed between the Agency and adoptive parents every two years. Parents can make a request in person or send a written request to the agency that handled the adoption and demonstrate a need for the requested change in payment. If a request for increase in assistance is due to a new condition, parents must submit written documentation of the child's increased needs. Documentation is usually in the form of diagnosis from a licensed professional. If parents do not receive the requested change, they have the right to an administrative appeal, also known as a fair hearing. Notifications of denial for a requested change (as well as new Adoption Assistance Agreements) provide instructions to request a fair hearing.

No form is necessary to request a change in the adoption assistance agreement, but parents are usually asked to complete an "AAP 3" form prior to granting a request for an increase. Forms link: www.dss.cahwnet.gov/cdssweb/On-lineFor_272.htm.

Adoption Assistance- Post Adoption Services

7. What types of post adoption services are available in your state and how do I find out more about them?

Post adoption services in California are administered by the Department of Social Services through the Post Adoption Services Project (PASP), parent groups, and contracted agencies. Post adoption services include the following examples:

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| 1. Information, resource/referral | 5. Respite |
| 2. Educational programs | 6. Crisis intervention (licensed Social Workers) |
| 3. Educational materials | 7. Newsletter |
| 4. Support groups | 8. Reading room (resource library) |

California's Post Adoption Services Project links: www.postadoptservices.com/files/frameset.htm, Family Resources: www.postadoptservices.com/files/frameset.htm and Local Resources: www.postadoptservices.com/files/frameset.htm.

Outside organizations also provide post adoption support services. For respite, see the California Respite Programs link: www.respitelocator.org/calstate.htm.

Note: Not all services may be available in all cases. Contact your adoption assistance worker or post adoption services contact for information regarding process, eligibility, availability, and duration of services.

Adoption Assistance- Medical assistance

8. What mental health services are provided by your state?

Public mental health services for children in California are administered by the Department of Health Services, Department of Mental Health, through the state Medicaid program known as MediCal. Services

include the following examples: counseling, psychiatric services, medication, and mental health treatment for children and families. The person receiving services and the mental health provider work in partnership to decide the appropriate services for that person.

The Children's System of Care Initiative addresses seriously emotionally disturbed children, information link: www.dmh.cahwnet.gov/SpecialPrograms/child-overview.asp. MediCal Local Contact List link: www.dmh.cahwnet.gov/About/docs/MEDI-CAL%20LOCALCONTACTLIST.pdf.

Mental health Frequently Asked Questions links: www.dmh.cahwnet.gov/faq/mhp.asp and www.dmh.cahwnet.gov/faq/faq_most.asp. Mental Health Problem Resolution Contact Numbers link: www.dmh.cahwnet.gov/About/docs/PRC.pdf.

Note: Not all services may be available in all cases. Contact your adoption assistance worker or medical assistance specialist for information regarding process, eligibility, availability, and duration of services.

9. Does your state provide additional finances or services for medical or therapeutic needs not covered under your state medical plan to children receiving adoption assistance?

California does not provide additional finances or services for medical or therapeutic needs not covered under their state medical plan to children receiving adoption assistance. California offers no subsidies or assistance over and above monthly maintenance payments, Medicaid, and reimbursement of nonrecurring adoption expenses.

Adoption Assistance- Fair Hearings

10. What is your state's process for applying for a fair hearing? A fair hearing is a legal, administrative procedure that provides a forum to address disagreements with agency decisions.

In California, the county agency financially responsible for the adoption assistance agreement sends a Notice of Action (NOA) to the adoptive family when granting, increasing decreasing, or terminating adoption assistance payments. If the adoptive family disagrees with the proposed action, they can request a fair hearing by completing the written hearing request from on the back of the NOA or by calling 800.952.7273 or 800.952.8349 (TDD) to make a verbal request. Forms are to be sent to the address listed on the form, which will vary by county. Requests for fair hearing must generally be made within ninety days from receipt of an adverse notice.

An Administrative Law Judge conducts fair hearings. The county representative will present their case for the change or denial of an increase and parents have an opportunity to present their information and evidence to substantiate the request for change. A ruling will be made and sent to parents. Fair hearing can be conducted over the phone if the adoptive parent lives in another State or is, for some reason, unable to attend in person. Fair hearing link: www.dss.cahwnet.gov/cdssweb/On-lineFor_295.htm (Form NA Back 9-Hearing Rights).

Adoption Assistance- Web/Internet information

11. What is your state Web address for general adoption information?

California's general adoption information links: www.childsworld.ca.gov/CFSDAdopti_309.htm and www.childsworld.ca.gov/AdoptionFA_359.htm

12. What is your state Web address for adoption assistance information?

California's adoption assistance links: www.childsworld.ca.gov/AdoptionsA_327.htm and www.dss.cahwnet.gov/pdf/PUB152.pdf

13. What is your state Web address for state-specific medical assistance information for children?

California's state-specific medical assistance links: www.dhs.cahwnet.gov/home/aboutcdhs/, www.MEDICAL.CA.GOV and www.dhs.ca.gov/mcs/medi-calhome/INDEX.HTM