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ORANGE COUNTY SOCIAL SERVICES AGENCY

Subject:	**Adoption Assistance Program (AAP) Intake**	45-802.1
Program:	**Foster Care Program**	
Approved:	***Signature On File.***	Date: 8/1/1985 Revised:5/19/10

PURPOSE

The purpose of this procedure is to provide guidelines in processing an Adoptions Assistance Program (AAP) Intake case.

REVISION

This policy has been revised to include new eligibility criteria for "applicable children" and changes in who is eligible for age-related AAP benefit increases.

OVERVIEW

AAP provides financial and/or medical assistance for children that have been adopted and meet specified eligibility requirements.

POLICY

FEDERAL ELIGIBILITY COMPONENTS

1. child must meet all three of the following eligibility components for federal AAP.
1. One of four paths to eligibility for federal funding. Paths to eligibility differ for "applicable" vs. "non-applicable" children
2. Special needs determination
3. General eligibility requirements

"APPLICABLE CHILD" DETERMINATION

Legislation gradually removes the 1996 Aid to Families with Dependent Children (AFDC) income requirements. Beginning October 1, 2009 an "applicable child" will no longer need to meet the 1996 income requirements to be eligible for federal funding. As a result, more children will be eligible for federal AAP.

"Applicable Child"

An "applicable child" is a child who:

1. Meets the applicable age requirement (see chart below), or
2. Has been in foster care for at least 60 consecutive months, or
3. Is a sibling of an "applicable child," if both are placed in the same prospective adoptive home.

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Determining "Applicable Child" Based on Age		
The Adoption Agreement was signed between:	***And***	**The child was born on or before:**
10/1/09-9/30/10		September 30, 1994
10/1/10-9/30/11		September 30, 1997
10/1/11-9/30/12		September 30, 2000
10/1/12-9/30/13		September 30, 2003
10/1/13-9/30/14		September 30, 2006
10/1/14-9/30/15		September 30, 2009
10/1/15-9/30/16		September 30, 2012
10/1/16-9/30/17		September 30, 2015
10/1/17 & After		Any DOB

“Non-Applicable Child”
A child who does not meet at least one of the “applicable child” conditions above is a “non-applicable child”.
Example 1:
AAP Agreement entered: 2/8/14
Child's DOB: 6/13/06
This child is an "applicable child" based on age.
Example 2:
AAP Agreement entered: 2/8/14
Child's DOB: 10/1/06
In foster care 63 consecutive months
This child is not an "applicable child" based on age, but qualifies as an “applicable child” due to being in foster care for at least 60 consecutive months anytime prior to the AAP agreement.
Example 3:
AAP Agreement entered: 2/8/14
Child's DOB: 10/1/06
In foster care 50 consecutive months
Is not placed for adoption with an "applicable child" sibling
This child does not fall into any of the three "applicable child" categories. The child is a “non-applicable child”.

“APPLICABLE CHILD” PATHS TO FEDERAL ELIGIBILITY

For federal funding, the “applicable child” must meet one of these four paths to eligibility in addition to meeting the special needs determination and general eligibility requirements:

1. The child is in the care of a public or private agency or Indian tribal organization and is the subject of one of the following:
   - An involuntary removal from the home in accordance with the court finding that remaining in the home would be contrary to the welfare of the child.
   - A voluntary placement agreement or voluntary relinquishment.

   Note: There is no requirement for federal foster care payment or court finding that remaining in the home would be contrary to the welfare of the child.
2. The child meets all medical or disability eligibility requirements for Supplemental Security Income (SSI) as determined and documented by the Social Security Administration. The child does not have to meet income and property rules for SSI.
2. The child resided in a foster family home or group home with the child’s minor parent.
3. The child received AAP with respect to a prior adoption that dissolved.

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"NON-APPLICABLE CHILD" PATHS TO FEDERAL ELIGIBILITY

1. federal funding, the "non-applicable child" must meet one of these four paths to eligibility in addition to the special needs determination and general eligibility requirements.

1. The child was eligible to receive federal foster care prior to the adoption.
2. A federal foster care (Infant Supplement) payment was made on behalf of the child's minor parent.
3. Prior to finalization of adoption, the child met the requirements to receive Supplemental Security Income (SSI) as determined and documented by the Social Security Administration.
4. The child received AAP from a prior adoption which dissolved.

1. For AAP cases approved prior to January 1, 1998 receipt of Aid to Families with Dependent Children Family Group/Unemployment (AFDC- FG/U) benefits satisfied the "four paths" requirement for federal AAP.
2. of CalWORKs benefits does not provide linkage to federal AAP.

SPECIAL NEEDS DETERMINATION

All children must meet each of the three requirements listed below.

1. It has been determined that the child cannot or should not be returned to their parents as supported by one of the following:

• Petition to terminate parental rights
• Court order terminating parental rights
• Signed relinquishment

1. The child has at least one of the following characteristics that are barriers to his or her adoption without financial assistance:

• Three years of age or older
• Race, ethnic background, color or language that is a barrier to adoption
• Adverse parental background of a medical or behavioral nature
• Mental, physical, emotional or medical disability that has been certified by a licensed professional
• Member of a sibling group that should remain together

1. The need for adoption financial assistance is demonstrated by an unsuccessful search for an adoptive home to take the child without financial assistance.

1. The requirement for this search will be waived when it would be against the best interest of the child. For example, the child has developed a significant emotional bond with the prospective adoptive parents while in their care as a foster child or a relative is adopting the child.

GENERAL ELIGIBILITY REQUIREMENTS

All children must meet each of the following criteria to be eligible for AAP.

1. The child is under 18 years of age, or under 21 years of age and has a mental or physical disability which warrants continued payment.
2. The adoptive family is responsible for the child pursuant to the terms of an adoptive placement agreement or a final decree of adoption.
3. The child is receiving financial support from the adoptive parent.
4. An Adoption Assistance Program Agreement (AD4320) has been signed.
5. The prospective adoptive parent and any adult living in the home have completed criminal background checks.
6. Citizenship Requirement: The child is a United States (US) citizen or a qualified alien.
7. If the child is a qualified alien who entered the US on or after 8/22/96 and is placed with an unqualified alien, the child must meet the five year residency requirement.
8. child is exempt from the 5 year residency requirement if placed with a US citizen or qualified alien or the child is a member of one of the following groups:

• Refugees
• Asylees
• Aliens whose deportation is withheld
• Unmarried dependent of a veteran or person on active duty
• Cuban or Haitian Entrant
• Amerasians from Vietnam

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STATE FUNDED ELIGIBILITY

1. child who does not meet one of the four paths to federal eligibility may be eligible for state funding. To be eligible for state funding, the child must meet the special needs determination, general eligibility requirements and be the subject of an agency adoption that was one of the following:
• Under the supervision of a county welfare department as the subject of juvenile court dependency or a legal guardianship.
• Relinquished for adoption to a licensed public or private adoption agency and would have been at risk of dependency as certified by a public child welfare agency.

BEGINNING DATE OF AID

The effective date of AAP is the date the Senior Social Worker (SSW) indicates on the AAP2 Payment Instruction form. Payments can begin anytime after the adoptive placement and Adoption Assistance Agreements have been signed. This may be a year or more before adoption finalization.

AAP CATEGORIES

AAP cases are opened under the following aid codes:
• Federal - Aid Code 03
• State - Aid Code 04

RATES

The payment rate is a negotiated amount determined by the SSW. The AAP benefit amount is not reduced because of income from any source. This rate cannot exceed the current basic foster care rate plus the current Special Care Increment (SCI) for that child using host county/state rates. The payment rate is the higher of the Orange County rate or the host county/state rate, for placements outside of Orange County.
If the child is a California Regional Center client receiving a Dual Agency rate, the maximum AAP benefit would be the appropriate Dual Agency flat rate plus the rate supplement for the care the client requires.
Note: Children with initial AAP Agreements signed 1/1/10 or later are not eligible to receive AAP age-related increases.
Refer to Foster Care Nonrecurring Adoption Expense (NAE) policy (45-042) for reimbursement of adoption expenses.

FAMILY MOVES OUT OF STATE

Refer to the *Interstate Compact on Adoption and Medical Assistance (ICAMA)* P&P (45-043) if the family moves to another state while the AAP agreement is in effect.

REFERENCES

HYPERLINKS

• Foster Care P&P Nonrecurring Adoption Expense (NAE)
• Foster Care P&P Interstate Compact on Adoption and Medical Assistance (ICAMA)

REQUIRED FORMS

Form Name	Form Number
Payment Instructions Adoption Assistance Program	AAP 2
Eligibility Certification Adoption Assistance Program	AAP 4 (Combines former FC 9 and AAP 4)
AAP Packet Request Memo	F063-29-70T
Adoption Assistance Program (AAP) Agreement	AD 4320
Adoption Assistance Program Approval Notice of Action (NOA)	CSC 18
Health Insurance Questionnaire	DHCS 6155

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Statement of Facts Supporting Eligibility for AFDC-Foster Care	FC 2
Determination of Federal AFDC-FC Eligibility	FC 3 (Formerly CA 350)
AFDC-FG/U Worksheet	FC 3 A
Federal Linkage Documentation (FC 3 Supplement)	F063-31-23
Federal Eligibility Certification	FC 8
Income and Property Checklist for Federal Eligibility Determination–Adoption Assistance Program	FC 10
Non-Recurring Adoption Expense (NAE)	F063-18-243
Health Insurance Questionnaire Cover letter	F063-19-68
AAP Intake Case Recording Sheet	F063-29-41
Your Rights Under California Welfare Programs	PUB 13

PROCEDURE

REQUIRED ACTION The following actions must be completed when an AAP Packet Request is received from the SSW or Information Processing Technician (IPT).

Responsibility	Step	Required Action
Data Entry Technician (DET)	1.	Completes top portion of AAP Packet Memo and attaches the following: • AAP 4 • FC 8 • CalWIN screen prints • MEDS screen prints
	1.	Inputs information into Microsoft Excel AAP database.
	1.	Sends AAP Packet to appropriate Eligibility Technician (ET): • If there is an active Foster Care (FC) case, send AAP Packet to FC ET to complete forms. • If there is an active CalWORKs case, send AAP Packet to FC CalWORKs ET to complete forms. • If there is not an active case, send AAP Packet to AAP Intake ET to complete forms.
	1.	Logs out AAP Packet and control for return.

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FC ET, CalWORKs ET, or AAP ET	1.	Completes AAP Packet Request. Federal Audit packet – Outside: • AAP 2 (AAP ET will supply) • AAP 4 (AAP ET will supply), ET completes second page • FC 3 found in FC case, must be copied and attached to Audit Packet • FC 8 (AAP ET will supply), ET completes first page • FC 10 (AAP ET will supply) • MEDs screen prints Federal Audit Packet – Inside: • Copy of FC 3 • Copy of FC 3 Supplement • Copy of FC 3 A • Copy of Birth Certificate • Copy of Social Security Number from FC prior to adoption • Copy of Minute Orders • Copy of CDS/CalWIN prints from FC case (All intake prints) **Note:** If there is not an active FC case, the AAP ET must complete these forms. Non-Federal Audit Packets: • All paperwork on AAP Packet Memo is required • No Audit Packet Envelope is needed
	1.	Returns completed Audit Packet to DET.
DET	1.	Logs in Audit Packet from FC ET and log out to AAP Intake ET to review.
AAP Intake ET	1.	Checks Audit Packet for completeness. If complete, return the Audit Packet to DET to hold until the AAP application is received.
	1.	Determines if case is federal or non-federal eligible.
	1.	Sends SSW the following forms: • AAP Packet Memo • AAP 2 • AAP 4 • FC 3 • FC 8 • FC 10 Must add applicable Foster Care rate.
	1.	No further action is required until AAP application is requested and all forms are returned.
	1.	Logs AAP Packet sent to SSW in the Microsoft Excel AAP database and forwards AAP Packet to SSW.
SSW	1.	When adoptive placement occurs, returns completed AAP application to AAP DET for processing.
DET	1.	Completes Application Registration in CalWIN.
	1.	Completes EW15 and EW20 to open Medi-Cal and issue a Medi-Cal Benefit Identification Card (BIC).
	1.	Creates new AAP case folder.

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	1.	Assigns case to AAP Intake ET.
	1.	Completes the input into the Microsoft Excel AAP database with case information.
	1.	Forwards case to assigned AAP Intake ET for AAP application processing.
AAP Intake ET	1.	Reviews documents for completeness.
	1.	Checks status of all open cases. • Inform FC ET to close their case as of the adoptive placement date. • Inform CalWORKs ET of the adoptive placement date to evaluate if case should remain open.
	1.	Checks CalWIN for siblings in AAP.
	1.	Completes Data Collection in CalWIN.
	1.	Authorizes payment in CalWIN.
	1.	Completes AAP Intake Case Recording Sheet.
	1.	Completes Case Comments in CalWIN.
	1.	Completes Client Correspondence and or NOA in CalWIN.
	1.	Makes sure all program related paperwork is filed in case folder according to program mandates.
	1.	When AAP case is approved: • Issues Temporary Medi-Cal card. • Closes MEDS for the FC or CalWORKs. • Forwards case to Eligibility Supervisor (ES) for review.
ES	1.	Reviews Case. • If case is correct forwards to DET to assign case to an AAP Continuing ET. • If case is incorrect, returns to AAP Intake ET for correction.

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