

SENATE BILL REPORT

SB 5803

As of February 19, 2009

Title: An act relating to the adoption support program.

Brief Description: Making changes to the adoption support program.

Sponsors: Senators Shin, Kauffman and Berkey.

Brief History:

Committee Activity: Human Services & Corrections: 2/20/09.

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Staff: Jennifer Strus (786-7316)

Background: The Adoption Support Program assists families adopting children who have been in out-of-home care by providing ongoing financial and medical benefits to qualified children based on state and federal regulations.

To qualify for adoption support, the Department of Social and Health Services (DSHS) must have made the determination that adoption is in the child's best interest. In addition, the child must:

- be less than 18 years of age when DSHS and the adoptive parent have signed the Adoption Support agreement;
- be legally free (birth parents rights have been terminated);
- have special needs; and
- be in state-funded foster care (or eligible for and likely to be placed in foster care) or be eligible for federally-funded adoption assistance.

All children participating in the Adoption Support Program are eligible to receive medical and dental services through Medicaid. Families must first access existing private insurance and Medicaid can then be billed for any remaining costs up to the maximum allowable Medicaid rate.

Families who adopt children and qualify for adoption support also qualify for initiating counseling services. The family's primary insurance must be applied first and the reimbursement for counseling after insurance is applied is paid at adoption support rate levels. Initial counseling services do not include residential mental health services.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Adoptive parents are also eligible for reimbursement for nonrecurring costs, which are a one time expense incurred by the adoptive parent to finalize the adoption of an eligible child. The maximum reimbursable costs are \$1,500 per child and payment is made after the adoption is finalized. The types of costs that are reimbursable include court costs directly related to finalizing an adoption; reasonable and necessary adoption fees; reasonable and necessary attorney fees directly related to finalizing an adoption; and costs associated with an adoption home study.

Adoptive parents who qualify for the Adoption Support Program are entitled to an adoption subsidy. The subsidy is a negotiated monthly cash payment provided to adoptive families to help cover some of the expenses involved in raising a child with special needs. The amount of the payment is based on the child's needs and family's circumstances jointly determined through the negotiation between the family and DSHS, and must not exceed the amount the child would receive if the child were in a foster family home.

Summary of Bill: The bill as referred to committee not considered.

Summary of Bill (Proposed First Substitute): Six months before the adoption is finalized, DSHS must provide, in writing, to the prospective adoptive parents information describing the limits of the adoption support program. DSHS must include at least the following:

- the limits on the monthly subsidies to adoptive families;
- the limits on the availability of mental health services and the funds with which to pay for these services;
- how to access mental health services for adoptive children;
- the limits on the reimbursement for nonrecurring costs;
- a statement that payment for residential or group care is not available for children receiving adoption support; and
- the risks inherent in adopting a child from DSHS.

The above information must also be provided to prospective foster parents at the foster parent preservice training.

Appropriation: None.

Fiscal Note: Available for the Original Bill.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.