

**WAC 110-80-0040 What are the eligibility criteria for the adoption support program?** For a child to be eligible for participation in the adoption support program, the child must:

(1) Be less than eighteen years old when the department and the adoptive parents sign the adoption support agreement and at the time the adoption is finalized;

(2) Be legally free for adoption or eligible for a customary adoption;

(3) Be placed with a family with an approved preplacement report or home study (see RCW 26.33.190);

(4) Be a child with "special needs" as defined in WAC 110-80-0050; and

(5) Meet at least one of the following criteria:

(a) Is residing in a foster home or child caring institution or was determined by the department to be eligible for and likely to be so placed (For a child to be considered "eligible for and likely to be placed in foster care" the department must have opened a case and determined that removal from the home was in the child's best interest); or

(b) Is eligible for federally funded adoption assistance as defined in Title IV-E of the Social Security Act, the C.F.R., and the U.S. DHHS guidelines for states to use in determining a child's eligibility for Title IV-E adoption assistance.

[Statutory Authority: 2017 c 6. WSR 20-04-019, § 110-80-0040, filed 1/27/20, effective 2/27/20. WSR 18-14-078, recodified as § 110-80-0040, filed 6/29/18, effective 7/1/18. Statutory Authority: 42 U.S.C. § 671-675, RCW 26.33.340, 74.13A.020, 74.13A.030, 74.13A.040, 74.13A.045, 74.13A.047, 74.13A.060, 74.13A.075, 74.13A.085, 74.13A.100, 74.15.020 and 45 C.F.R. § 1356.40. WSR 18-14-008, § 388-27-0135, filed 6/21/18, effective 7/22/18. Statutory Authority: RCW 74.13.109, 74.13.031, 2002 c 371 § 202(8), 42 U.S.C. 671-675. WSR 04-06-024, § 388-27-0135, filed 2/23/04, effective 3/25/04. Statutory Authority: RCW 74.13.031. WSR 01-08-045, § 388-27-0135, filed 3/30/01, effective 4/30/01.]