

WAC 110-80-0200 Under what circumstances would the adoption support agreement be terminated? The adoption support agreement is terminated according to the terms of the agreement or if any one of the following events occurs:

(1) The child reaches eighteen years of age, unless:

(a) The child was adopted at age sixteen or older and meets the requirements of an eligible category for the extended foster care program as described in RCW 74.13.031(11). In such cases, the department may extend the terms of the adoption support agreement so long as the child continues to fall within an eligible category and the adoptive parent continues to provide ongoing financial support or the youth turns twenty-one, whichever occurs first. Under no circumstances may the department extend the agreement beyond the child's twenty-first birthday.

(b) The child was adopted prior to age sixteen and is attending high school full time in a curriculum leading to a high school diploma or is attending an instructional program leading to a GED or high school equivalency certificate (HSEC) and continues to receive financial support from the adoptive parent(s), the department may extend the terms of the adoption support agreement until the child completes high school or achieves a HSEC. Under no circumstances may the department extend the agreement beyond the child's twenty first birthday.

(c) Adoption support benefits will automatically stop on the child's eighteenth birthday unless the parent(s) requests continuation per this rule and have provided documentation of the child's continuation in school or other qualifying program. To prevent disruption in services the parent should contact the adoption support program at least ninety days prior to the child's eighteenth birthday if continued services are to be requested.

(2) Upon the child's death;

(3) The child is under eighteen years and the department determines the parents are no longer financially or legally responsible for the support of the child;

(4) The child is under eighteen years old and the department determines the child is no longer receiving any support from the parents; or

(5) The adoptive parents die. (A child who met federal Title IV-E eligibility criteria for adoption assistance will be eligible for adoption assistance in a subsequent adoption.)

[WSR 18-14-078, recodified as § 110-80-0200, 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, 45 C.F.R. § 1356.40 and RCW 74.13.031(11). WSR 18-14-008, § 388-27-0210, 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, § 388-27-0210, filed 2/23/04, effective 3/25/04. Statutory Authority: RCW 74.13.031. WSR 01-08-045, § 388-27-0210, filed 3/30/01, effective 4/30/01.]