



Going Public with Private Adoptions

Jennifer W. Perez

Statewide Revenue Maximization Specialist

Valerie Proctor

Statewide Adoption Policy & Program
Specialist

Office of Child Welfare
Department of Children and Families

FLORIDA ADOPTION ASSISTANCE

To protect and promote each child's right to security and stability of a permanent family home. Adoption assistance, including financial aid, is available to prospective adoptive parents to enable them to adopt a child in the state's foster care system who, because of his or her needs, have proven difficult to adopt." s.409.166(1), F. S.



ADOPTION ASSISTANCE REQUIREMENTS

- Permanent commitment to the Department or licensed child-placing agency
- Specific factor that makes it difficult to place the child for adoption - member of a sibling group that must be placed together for adoption, age 8 or older, physical or emotional handicap, developmentally disabled, black or racially mixed, or significant emotional ties to foster parent
- Documentation of reasonable but unsuccessful efforts to place without subsidy except for when child is being adopted by foster parent or relative caregiver
- US citizen or qualified noncitizen
- Under 18 years old
- Never emancipated
- Prospective adoptive parent(s) of the child meet background check requirements



PRIVATE ATTORNEYS & AGENCIES NOT LICENSED BY THE DEPARTMENT

- The child must be determined SSI eligible (prior to the adoption) **or**
- If the child was receiving adoption subsidy in a previous adoption and it dissolved as a result of a termination of parental rights or adoptive parent dies **AND**
- It was determined that the child continues to meet **characteristics to support special needs** in the subsequent adoption

<http://www.adoptflorida.org/docs/Licensed-Adoption-Agencies.pdf>



ADOPTION ASSISTANCE FOR PRIVATE ADOPTIONS

Available

- Maintenance Adoption Subsidy
- Extended Maintenance Adoption Subsidy
- Medicaid
- Medical Assistance
- Non-recurring Adoption Expenses
- Florida Adoption Reunion Registry

Not Available

- Tuition Fee Exemption
- Post-Secondary Education Support and Services
- Post Adoption Services from CBC or CMO (not required)
- Post Adoption Communication Contact
- State Employee Benefit
- State Parks Benefit

FLORIDA ADOPTION ASSISTANCE



INITIAL CONTACT

Families are to apply directly to CBC where they currently reside.

- Licensed or Non-Licensed
- Pending or Finalized Adoption



COMMUNICATION

Determine who will be completing the steps at your CBC and the POC for the family.

If the request for subsidy is after finalization has occurred, a recommended denial must be sent to DCF Regional staff.



GATHERING INFORMATION

All information required to process subsidy must be collected by the parties requesting subsidy.

- Orders
- Home Study
- Proof of Special Needs
- Proof of SSI
- Reasonable Efforts
- Background checks, etc.



PROCESSING

Complete necessary pages in FSFN regarding Private Adoption

- Creation of Private Adoption page
- Creation of the Adoption Information page
- Eligibility (Foster & Adoption)
- Post Adoption Case



ELIGIBILITY
& FSN

PRIVATE ADOPTION PAGE

- Private agency or attorney created as a FSFN Provider and linked.
- AFCAR (red) values must be documented.
- Adoption Details fields are not documented until after finalization.
- Complete checkbox is not marked until case is ready to create Post-Adoption case.

Demographics

Case ID: 101750902 Child Name: Applicable, Child SSN: Date Completed: Complete

Case Name: Private Adoption, Person ID: 106442491 Date of Birth: 05/14/2013 Completed By:

Private Adoption Entity Information

Private Agency Private Attorney Name: Adoption By Shepherd Care CPA [Search](#)

Address

Street/Route: Street

Street: 5935 Gzug HG Unit Designator: Building:

Route:

FL City: Hollywood County: Broward Non-Florida County:

City: Hollywood State: FL ZIP: 33021-4566 Country: United States

Adoption Details

Adoption Outcome : Adoptive Parent(s) :

County of Adoption Finalization: Adoption Finalization Date:

Relationship of Adoptive Parent to Child: Foster Parent Other Relative Other Non-Relative Step Parent

+ Birth Mother:

+ Birth Father:

PRIVATE ADOPTION PAGE

- Supervisors have the ability to deselect the Complete checkbox when data correction is necessary.
- Void functionality exists when page is created in error or duplicate pages exist.

Hand Book Print Audit Spell Check Help

Date Completed: 08/28/2019

108 Completed By: Wzirmoo, Kellie S

Voided By:

Date Voided: 00/00/0000

Complete

Actions:

[Complete Void Private Adoption](#)

TITLE IV-E ELIGIBILITY PATHS- APPLICABLE CHILD

- **Special Needs child must meet one of the following:**
 - At the time adoption proceedings were initiated, the child was in the care of the department or licensed private child placement agency pursuant to-
 - (a) A court-ordered removal of the child with a judicial determination that continuation in the home would be contrary to the welfare of the child; or
 - (b) A voluntary placement agreement or voluntary relinquishment
 - The child meets all medical and disability requirements of supplemental security benefits; or
 - The child was residing in a foster care with their minor parent, and the minor parent was in foster care pursuant to 1.(a) or 1.(b); or
 - The child was IV-E eligible in a prior adoption



IV-E FOSTER DETERMINATION APPLICABLE CHILD

Removal Home: Identify Parent(s)

Assistance Group: Child Only

Date AFDC Applies: Not Populated

All User Entered Questions: Answered as No

Link Relinquishments as a Legal Document – Court Report

Eligibility

Child Name: [Applicable Child](#) Person ID: 106442491 Eligibility ID: 900010161 Episode End Date: 00/00/0000

Case Name: [Private Adoption](#) Case ID: 101750902 IV-E Rmvl Dt: 01/07/2020 **Private Adoption**

Do not refer to Child Support Enforcement: Reason:

Basic | **Initial Determination** | **Redeterminations**

Eligibility Information

Eligibility Determination: Pending Eligible and Reimbursable Eligible, Not Reimbursable Ineligible

Entry Date: 01/07/2020 Effective From: 01/07/2020 Date AFDC Applies: 00/00/0000 [Legal Select](#)

Determination Voided Date Voided: 00/00/0000 Determination Complete Date Completed: 00/00/0000

Determination N/A Reason:

For all Eligibility Paths, except for court-ordered removals (Interventions), the IV-E Foster Care Eligibility Determination will be completed as Ineligible.

ADOPTION ELIGIBILITY DETERMINATION

APPLICABLE CHILD

Special Needs Determination

5. Special Needs Determination for an Applicable Child

Does documentation in agency records, dated prior to finalization, show that the Applicable Child meets all three special needs criteria?

Yes No

5a. Child cannot/ should not return to the home of his or her parents: Has it been determined that this child cannot or should not be returned to the home of his or her parents?

Yes No [Legal Record](#)

How is this criteria met?

Document requirement of permanent commitment to the Department or licensed (public or private) child-placing agency. For private adoptions through an attorney, met through termination of parental rights.

Documentation supporting the determination:

Name legal documents supporting above.

5b. Child is hard to place: Does documentation in agency records, dated prior to finalization, show that there is a factor or condition that makes it difficult to place the child for adoption without provision of subsidy or medical assistance?

Yes No

African-American

Sibling Group

Emotional Disability

[Medical/Mental Health](#)

[Adoption Information](#)

Age 8 or older

Developmental Delay

Medically Fragile

Medical or disability requirements for Supplemental Security Income (SSI)

Intellectual Disability

Physical Disability

Visual/ Hearing Impaired

At Risk of Medically Diagnosed Condition

5C. Efforts to place without a subsidy:

Does documentation in agency records, dated prior to finalization, show that efforts were made to place the child without provision of subsidy or medical assistance?

Yes No Exception

List efforts made:

Efforts to place the child in a non-subsidized placement must be documented in the child's record. Documentation shall include at least one of the following: List of other families considered, Letters to agencies specifically seeking a home for the child, or Registration of the child on the statewide adoption website.

Were the prospective parent(s) willing to adopt without subsidy?

Yes No

Exception: Child has a significant emotional attachment to:

his/her foster parent(s)

relative caretaker(s)

Special Needs must be documented

ADOPTION ELIGIBILITY DETERMINATION

APPLICABLE CHILD

Eligibility Path for the Applicable Child with Special Needs

6. Eligibility Path for the Applicable Child with Special Needs

Is the Applicable Child with special needs eligible for title IV-E subsidy?

Yes No

6a. Judicial/voluntary removal or voluntary relinquishment: Does documentation in agency records, dated prior to finalization, show that the child was in the care of a public or licensed private child placement agency or Indian tribal organization pursuant to an involuntary removal in accordance with a judicial determination to the effect that it was contrary to the child's welfare to remain in the home or a voluntary placement agreement or a voluntary relinquishment?

Yes No

How is this criteria met?

Child voluntarily relinquished by both parents to licensed private agency.

Documentation supporting the determination:

Name legal document which supports the above.

6b. SSI: Does documentation in agency records, dated prior to finalization, show that the child meets all medical and disability requirements for the Title XVI with respect to eligibility for SSI benefits?

Yes No

How is this criteria met?

Child is receiving SSI due to blindness.

Documentation supporting the determination:

Social Security Award Letter

6c. Child of a minor parent: Does documentation in agency records, dated prior to finalization, show that the child was residing in a foster family home or child care institution with his/her minor parent and the minor parent was removed from home pursuant to either: (1) an involuntary removal in accordance with a judicial determination to the effect that it was contrary to the child's welfare to remain in the home; or (2) a voluntary placement agreement or voluntary relinquishment?

Yes No

6d. Previous Adoption:

Does documentation in agency records, dated prior to finalization, show that the child was adopted previously?

Yes No

Note: This excludes international adoptions

Was the child eligible for title IV-E Adoption Assistance in the prior adoption?

Yes No

How is this criteria met?

Child previously adopted through the department receiving IV-E subsidy.

Documentation supporting the determination:

CCWIS & AAA

Eligibility Path – select all that apply

ADOPTION ELIGIBILITY DETERMINATION

APPLICABLE CHILD

Eligibility Path for the Applicable Child with Special Needs

6. Eligibility Path for the Applicable Child with Special Needs

Is the Applicable Child with special needs eligible for title IV-E subsidy?

Yes No

6a. Judicial/voluntary removal or voluntary relinquishment: Does documentation in agency records, dated prior to finalization, show that the child was in the care of a public or licensed private child placement agency or Indian tribal organization pursuant to an involuntary removal in accordance with a judicial determination to the effect that it was contrary to the child's welfare to remain in the home or a voluntary placement agreement or a voluntary relinquishment?

Yes No

How is this criteria met?

Documentation supporting the determination:

6b. SSI: Does documentation in agency records, dated prior to finalization, show that the child meets all medical and disability requirements for the Title XVI with respect to eligibility for SSI benefits?

Yes No

How is this criteria met?

Documentation supporting the determination:

6c. Child of a minor parent: Does documentation in agency records, dated prior to finalization, show that the child was residing in a foster family home or child care institution with his/her minor parent and the minor parent was removed from home pursuant to either: (1) an involuntary removal in accordance with a judicial determination to the effect that it was contrary to the child's welfare to remain in the home; or (2) a voluntary placement agreement or voluntary relinquishment?

Yes No

6d. Previous Adoption:

Does documentation in agency records, dated prior to finalization, show that the child was adopted previously?

Yes No

Note: This excludes international adoptions

Was the child eligible for title IV-E Adoption Assistance in the prior adoption?

Yes No

How is this criteria met?

Documentation supporting the determination:

Eligibility Path – through an Attorney

TITLE IV-E ELIGIBILITY PATH- NON-APPLICABLE CHILD

- **Special Needs child must meet one of the following:**
 - The child was removed and placed in foster care through a voluntary placement agreement to which federal payment was provided or court-ordered removal with a judicial determination that continuation in the home would be contrary to the welfare of the child, and met AFDC criteria; or
 - The child meets all requirements of supplemental security benefits; or
 - The child was residing in foster care with their minor parent and the minor parent's board payment covered the cost of the child; or
 - The child was IV-E eligible in a prior adoption



TITLE IV-E ELIGIBILITY PATHS NOT APPLICABLE CHILD

Per the Children's Bureau, this guidance should continue to be utilized since FFPSA has delayed the phase-in of Applicable Child.

+ Is a child who is voluntarily relinquished to a private, nonprofit agency eligible for title IV-E adoption assistance as a child who is not an "applicable child"

(Deleted 10/25/2017)

Answer

As authorized by section 473(a)(2)(A)(i)(I) of the Act, a child is eligible for title IVE adoption assistance if s/he is removed from the home by way of a voluntary placement agreement with respect to which title IV-E foster care payments are provided, or as the result of a judicial determination that to remain in the home would be contrary to the child's welfare. However, a child who is voluntarily relinquished to either a public or private, nonprofit agency will be considered judicially removed in the following circumstances:

- (1) the child is voluntarily relinquished either to the State agency (or another public agency (including Tribes) with whom the State has a title IV-E agreement), or to a private, nonprofit agency; and
- (2) there is a petition to the court to remove the child from home within six months of the time the child lived with a specified relative; and
- (3) there is a subsequent judicial determination to the effect that remaining in the home would be contrary to the child's welfare.

Under these circumstances, the AFDC-eligible child will be treated as though s/he was judicially removed rather than voluntarily relinquished. If the State agency subsequently determines that the child also meets the three criteria in the definition of a child with special needs in section 473(c) of the Act, the child is eligible for title IV-E adoption assistance. If, however, there is no petition to remove the child from the home or no subsequent judicial determination, the child cannot be considered judicially removed for the purpose of title IV-E adoption assistance eligibility. Furthermore, if the court merely sanctions the voluntary relinquishment without making a determination that it is contrary to the child's welfare to remain in the home, the child is not eligible for title IV-E adoption assistance.

Source/Date

ACYF-CB-IM-01-08 (11-6-01)

Legal and Related References

Social Security Act -section 473(a)(2)(A)(i)(I) and (c)

LEGAL RECORD

NOT APPLICABLE CHILD

Filing – Voluntary Surrender – with Result as Filed

General Information

Case Participant: Not Applicable, Child Worker: Kviva, Jennifer W Last Updated By: Kviva, Jennifer W Date Updated: 01/15/2020 12:11 PM Device Type: FSFN

Legal Action Category: Legal Action Initiated:

Scheduled Date: AM PM Completed Date: AM PM County:

Result: Under Appeal Circuit: 2

Termination of Parent Rights Petition – Private with Result as Filed

General Information

Case Participant: Not Applicable, Child Worker: Kviva, Jennifer W Last Updated By: Kviva, Jennifer W Date Updated: 01/15/2020 8:38 AM Device Type: FSFN

Legal Action Category: Legal Action Initiated:

Scheduled Date: AM PM Completed Date: AM PM County:

Result: Under Appeal Circuit: 2

Termination of Parent Rights – Private with Result as Granted

General Information

Case Participant: Not Applicable, Child Worker: Kviva, Jennifer W Last Updated By: Kviva, Jennifer W Date Updated: 01/15/2020 8:36 AM Device Type: FSFN

Legal Action Category: Legal Action Initiated:

Scheduled Date: AM PM Completed Date: AM PM County:

Result: Under Appeal Circuit: 2

Available to all Rev Max profiles for entry

IV-E FOSTER DETERMINATION NOT APPLICABLE CHILD

Eligibility

Child Name: [Not Applicable, Child](#) Person ID: 106442491 Eligibility ID: 900010161 Episode End Date: 00/00/0000

Case Name: [Private Adoption](#) Case ID: 101750902 IV-E Rmvl Dt: 01/07/2020 Private Adoption

Do not refer to Child Support Enforcement: Reason:

[Basic](#) [Initial Determination](#) [Redeterminations](#)

Eligibility Information

Eligibility Determination: Pending Eligible and Reimbursable Eligible, Not Reimbursable Ineligible

Entry Date: 01/07/2020 Effective From: 01/07/2020 Date AFDC Applies: 11/01/2019 [Termination of Parental Rights Petition - Private](#)

Removal Home: Identify Parent(s)

Assistance Group: Identify as a Constructive Removal

Date AFDC Applies: Populate with Legal Entry of Termination of Parental Rights Petition-Private or Termination of Parental Rights-Private if no petition filed.

All User Entered Questions: Answered as appropriate for situation

Link Relinquishments as a Legal Document – Court Report

VPA or Court-Ordered Removal

ADOPTION ELIGIBILITY DETERMINATION

NOT APPLICABLE CHILD

Special Needs Determination

7. Special Needs Determination for a Not Applicable Child

Does documentation in agency records, dated prior to finalization, show that the Applicable Child meets all three special needs criteria? Yes No

7a. Child cannot/ should not return to the home of his or her parents: Has it been determined that this child cannot or should not be returned to the home of his or her parents? Yes No [Legal Record](#)

How is this criteria met?

Document requirement of permanent commitment to the Department or licensed (public or private) child-placing agency. For private adoptions through an attorney, met through termination of parental rights.

Documentation supporting the determination:

Name legal documents supporting above.

7b. Child is hard to place: Does documentation in agency records, dated prior to finalization, show that there is a factor or condition that makes it difficult to place the child for adoption without provision of subsidy or medical assistance? Yes No

- | | | | | |
|--|--|---|---|--------------------------------------|
| <input checked="" type="checkbox"/> African-American | <input type="checkbox"/> Sibling Group | <input type="checkbox"/> Emotional Disability | Medical/Mental Health | Adoption Information |
| <input type="checkbox"/> Age 8 or older | <input type="checkbox"/> Developmental Delay | <input type="checkbox"/> Medically Fragile | | |
| <input type="checkbox"/> Intellectual Disability | <input type="checkbox"/> Physical Disability | <input type="checkbox"/> Visual/ Hearing Impaired | <input type="checkbox"/> At Risk of Medically Diagnosed Condition | |

7c. Efforts to place without a subsidy:

Does documentation in agency records, dated prior to finalization, show that efforts were made to place the child without provision of subsidy or medical assistance? Yes No Exception

List efforts made:

Efforts to place the child in a non-subsidized placement must be documented in the child's record. Documentation shall include at least one of the following: List of other families considered, Letters to agencies specifically seeking a home for the child, or Registration of the child on the statewide adoption website.

Were the prospective parent(s) willing to adopt without subsidy? Yes No

Exception: Child has a significant emotional attachment to: his/her foster parent(s) relative caretaker(s)

Special Needs must be documented

ADOPTION ELIGIBILITY DETERMINATION

NOT APPLICABLE CHILD

Eligibility Path for a Not Applicable Child with Special Needs

8. Eligibility Path for a Not Applicable Child with Special Needs

Is the Not Applicable Child with special needs eligible for title IV-E subsidy?

Yes No

8.1. Child is a SSI recipient: Does documentation in agency records, dated prior to finalization, show that the child was receiving SSI prior to the finalization of adoption?

Yes No

8.2. Child was eligible in a prior adoption:

Yes No

Does documentation in agency records, dated prior to finalization, show that the child was adopted previously?

Note: This excludes international adoptions

Yes No

Was the child eligible for title IV-E Adoption Assistance in the prior adoption?

Yes No

Had a payment been made on his/her behalf?

Yes No

8.3. Child of a minor parent: Does documentation in agency records, dated prior to finalization, show that the child's minor parent was in foster care and Title IV-E foster care maintenance payment were made that covered both the minor parent and the child?

Yes No

8.4. Child meets Title IV-E & AFDC criteria: Does the child's removal episode meet Title IV-E Foster Care eligibility requirements?

Yes No

Was the child voluntarily relinquished to the Department or Private Agency? Yes No

Department Private Agency

8.4c Voluntary Relinquishment (Surrenders)

[Private Adoption](#)

[Legal Record](#)

Date of Voluntary Relinquishment:

8.4c(1) Was there a petition filed within six months of the voluntary relinquishment agreement for adoption to judicially remove the child from the home?

Yes No

Date of Petition:

8.4c(2) Was the petition followed up with a judicial determination (court order) to the effect that remaining in the home was contrary to the child's welfare?

Yes No

Date of court order with CTW language:

8.4c(3) At the time of relinquishment for adoption, was there deprivation of parental support or care?

Yes No

Deprivation Type:

8.4c(4) At the time of the child's most recent removal, were the resources available to the family below \$10,000?

Yes No

8.4c(5) At the time of the child's most recent removal, was the family income less than the CNS for the family size?

Yes No

Eligibility Path – select all that apply

ADOPTION ELIGIBILITY DETERMINATION

NOT APPLICABLE CHILD

Eligibility Path for a Not Applicable Child with Special Needs

8. Eligibility Path for a Not Applicable Child with Special Needs

Is the Not Applicable Child with special needs eligible for title IV-E subsidy?

Yes No

8.1. Child is a SSI recipient: Does documentation in agency records, dated prior to finalization, show that the child was receiving SSI prior to the finalization of adoption?

Yes No

8.2. Child was eligible in a prior adoption:

Yes No

Does documentation in agency records, dated prior to finalization, show that the child was adopted previously?

Yes No

Note: This excludes international adoptions

Was the child eligible for title IV-E Adoption Assistance in the prior adoption?

Yes No

Had a payment been made on his/her behalf?

Yes No

8.3. Child of a minor parent: Does documentation in agency records, dated prior to finalization, show that the child's minor parent was in foster care and Title IV-E foster care maintenance payment were made that covered both the minor parent and the child?

Yes No

8.4. Child meets Title IV-E & AFDC criteria: Does the child's removal episode meet Title IV-E Foster Care eligibility requirements?

Yes No

Was the child voluntarily relinquished to the Department or Private Agency? Yes No

Department Private Agency

8.4c Voluntary Relinquishment (Surrenders)

Private Adoption

Legal Record

Date of Voluntary Relinquishment:

8.4c(1) Was there a petition filed within six months of the voluntary relinquishment agreement for adoption to judicially remove the child from the home?

Yes No

Date of Petition:

8.4c(2) Was the petition followed up with a judicial determination (court order) to the effect that remaining in the home was contrary to the child's welfare?

Yes No

Date of court order with CTW language:

8.4c(3) At the time of relinquishment for adoption, was there deprivation of parental support or care?

Yes No

Deprivation Type:

8.4c(4) At the time of the child's most recent removal, were the resources available to the family below \$10,000?

Yes No

8.4c(5) At the time of the child's most recent removal, was the family income less than the CNS for the family size?

Yes No

Eligibility Path – through an Attorney

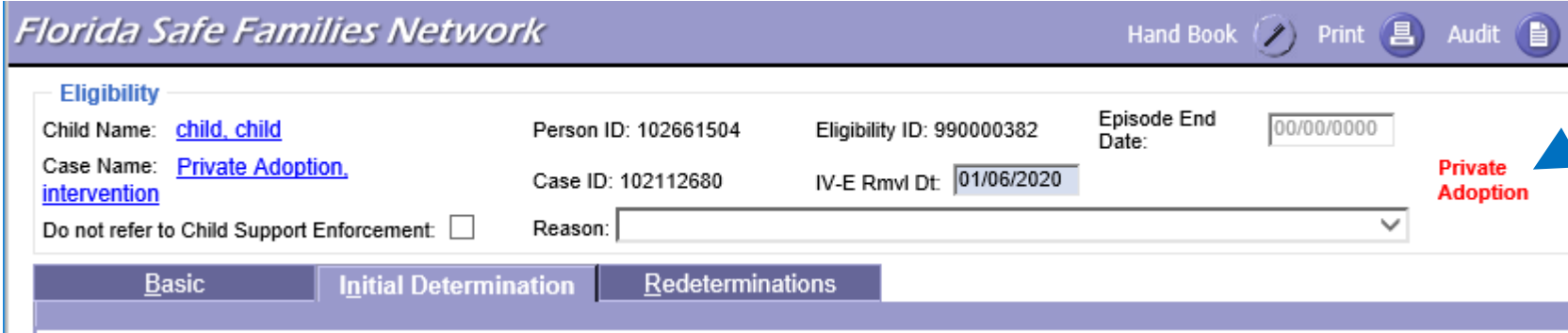
PRIVATE ADOPTIONS

- Once Intervention is granted:
 - OOH placement is Discharged
 - Attorney - Dismissed by Court/Transfer to Other Agency
 - Private Agency - Dismissed by Court Transfer To Licensed Private Agency
 - FSFN Case remains opens
 - If subsidy is requested, same FSFN Case is used to open Private Adoption placement and process eligibility determinations



PRIVATE ADOPTIONS-INTERVENTION

- IV-E Foster Care Eligibility
 - New eligibility page will generate upon creation of the Private Adoption page
 - Complete eligibility based upon removal by the Department



The screenshot displays the 'Florida Safe Families Network' interface. At the top, there are navigation links for 'Hand Book', 'Print', and 'Audit'. The main section is titled 'Eligibility' and contains the following information:

Child Name: child_child	Person ID: 102661504	Eligibility ID: 990000382	Episode End Date: 00/00/0000
Case Name: Private Adoption intervention	Case ID: 102112680	IV-E Rmvl Dt: 01/06/2020	

Below the table, there is a checkbox for 'Do not refer to Child Support Enforcement' and a 'Reason:' dropdown menu. At the bottom, there are three tabs: 'Basic', 'Initial Determination', and 'Redeterminations'. A blue arrow points to the text 'Private Adoption' on the right side of the form.

- IV-E Adoption Eligibility
 - Create an AAA to autogenerate an Adoption Eligibility page
 - Complete Adoption Eligibility

QUESTIONS?