

# Young Adult Adoption Assistance Extension Program: Extension to 21

AAM 631

# Introduction

The Fostering Connections to Success and Increasing Adoptions Act of 2008 (PL 110-351) includes an option for states to extend title IV-E funded adoption assistance agreements beyond age 18 for youth whose Order Placing Child After Consent was signed after their 16<sup>th</sup> birthday and who meet certain criteria for education, employment or disability.

Youth who exited foster care to an adoption placement (Order Placing Child After Consent) between the ages of 16 and 18 and continued to receive adoption support subsidy up till their 18th birthday, may apply for a Young Adult Adoption Assistance Extension if they are under the age of 21 and meet the program qualifications.

This program, which is specific to older adoptees, should be used in lieu of the state- and title IV-E-funded extensions described in AAM 630, for youth whose Order Placing Child After Consent was signed after their 16<sup>th</sup> birthday.

# Eligibility

The Young Adult Adoption Assistance Extension program is for youth whose Order Placing Child After Consent was signed after their 16<sup>th</sup> birthday. To qualify for an extension of adoption assistance up to the youths 21<sup>st</sup> birthday, the youth must satisfy the following requirements:

- An adoption assistance agreement was in place till the adoptee's 18th birthday.
- The youth was adopted on or after his/her 16th birthday.
- The youth is now between the ages of 18 and 20, and requests to extend adoption subsidy assistance payments to the age of 21.
- The youth and adoptive parent(s)/legal guardian (if adoptive parent(s) is/are deceased) have signed a DHS-1339, Young Adult Adoption Assistance Extension Application.

And

# Eligibility (Continued)

The youth meets at least one of the conditions listed below:

- Actively completing high school or a program leading to a general equivalency diploma (GED) exam.
- Enrolled at least part-time in a college, university, vocational program or trade school.
- Employed in either full- or part-time work, or participating in a program that promotes employment (such as Job Corps, Michigan Works! or another employment skill-building program). Participation must be at least 80 hours per month and may be at one or more places of employment, and/or a combination of any of the above activities.
- Incapable of doing at least one of the above educational or employment activities due to a documented medical condition.

# Notification

The DHS-628, Young Adult Adoption Extension Notice will be used to notify the adoptive parent(s)/guardian that the adoption assistance payments will end when the youth reaches age 18.

The DHS-1339, Young Adult Adoption Assistance Extension Application, the DHS-3380, Verification of Student Information, the DHS-38, Verification of Employment and the DHS-54A, Medical Needs forms must be included with the DHS-628, for the adoptive parent(s)/guardian and youth to apply for an extension.

# Verification for Eligibility Determination

The DHS-1339, Young Adult Adoption Assistance Extension Application and one of the following verifications must be completed:

- DHS-3380, Verification of Student Information (may be used to verify vocational training).
- DHS-38, Verification of Employment
- DHS-54A, Medical Needs.
- DHS-678, Annual Report/Status Change. This form determines if a non-title IV-E extension will be funded through state or TANF funding.

# Incomplete Application Process

If an incomplete adoption subsidy extension application is submitted to the Adoption Subsidy Office, the following steps are required:

- 1 The adoption subsidy worker must respond in writing with the DHS-1314, Young Adult Adoption Subsidy Extension Missing Documentation Notice, within 30 calendar days of receipt of an incomplete application.
- 2 The DHS- 1314 will clarify the documentation requirements and will notify the adoptive parent(s)/guardian of any missing application and/or verifications.
- 3 The adoptive parent(s)/guardian will have 30 calendar days following the date of the DHS-1314 to provide the missing documentation for the application to be processed with an effective date of the young adult's 18th birthday.
- 4 If the adoptive parent(s)/guardian do not provide the missing documentation within this time frame the application will be denied and the adoptive parent(s)/guardian will need to re-apply. The effective date for these cases will be the date the complete application was received in the Adoption Subsidy Office.

# Young Adult Adoption Assistance Extension Agreement

If the extension is approved by the Adoption Subsidy Office, the DHS-4113-YA, Young Adult Adoption Assistance Extension Agreement, will be mailed to the adoptive parent(s) or legal guardian (if adoptive parent(s) is/are deceased) and youth for signatures.

# Extension Agreement Processing Timeframes

The signed DHS-4113-YA, must be returned to the Adoption Subsidy Office within 30 calendar days of the agreement issuance date and must be signed by the Adoption Subsidy Office Manager before the extension payments are authorized.

If the agreement is not received within 30 calendar days of the agreement issuance date, the effective date will be the date the agreement was received by the Adoption Subsidy Office

# Extension Agreement Rate

If the adoptive parent(s)/guardian is the payee the maximum daily adoption subsidy rate for extensions will be the maximum rate that was established on the original DHS-4113, Adoption Assistance Agreement.

The rate will be negotiated between the adoptive parent(s)/guardian and the Adoption Subsidy Office.

# Funding Source

The Young Adult Adoption Assistance Extension program is funded by title IV-E-, state-, and TANF-funds.

The funding source for the youth's extension is the same funding source either title IV-E or Non-title IV-E that was established on the original DHS-4113, Adoption Assistance Agreement, for the youth.

The Adoption Subsidy Office will determine if the funding source is state or TANF using information from the DHS-678, Annual Report/Status Change.

# TANF Funded Cases

TANF-funded extensions must be changed to state-funded once the youth:

- Reaches his or her 19th birthday, or
- Is no longer attending or has graduated from high school, or
- Is longer living in his/her adoptive parent(s) home, or
- No longer meets TANF eligibility based upon information provided on the DHS-678, Annual Report/Status Change.

The adoptive parent(s) information must be provided on the DHS-678, Annual Report/Status Change, as Michigan's definition of a child has been extended to age 21.

# Medicaid Eligibility

## **Title IV-E Medicaid Eligibility:**

Youth who are eligible for a title IV-E-funded Young Adult Adoption Assistance Extensions are categorically eligible for Medicaid during the extension period.

## **Non-title IV-E Medicaid Eligibility:**

Medicaid is not continued for youth over age 18 who are eligible for a non-title IV-E funded Young Adult Adoption Assistance Extension, unless determined eligible for continuation by the Adoption Subsidy Office.

Determination is based on the youth's medical needs and determination of care (DOC) level. A Medicaid application may be made at the local DHS office if the youth is not eligible through the Adoption Subsidy Office for Medicaid.

# Change Reporting

Change reporting is required as listed in AAM 650, Parent Responsibilities with the exception of the timeframe for reporting. The adoptive parent/guardian must report changes within two weeks of event.

In addition, the following applies to the Young Adult Adoption Assistance Extension program:

- If the youth does not meet the educational, vocational, trade or job training activity requirements and has not become medically unable to participate in one of those activities the youth is allowed a grace period not to exceed 30 calendar days.
- The adoptive parent/guardian and/or youth must contact the Adoption Subsidy Office to discuss ways in which the youth could meet the requirements or the subsidy will terminate at the end of the grace period.

# Quarterly Review

Continued eligibility for the extension program will be reviewed by the Adoption Subsidy Office every three months, beginning three months from the effective date of the extension.

The following are requirements for the quarterly review:

- The DHS-881-YA, Quarterly Young Adult Extension Review , DHS-3380, Verification of Student Information (may also be used to verify vocational training), DHS-38, Verification of Employment, and DHS-54A, Medical Needs forms will be mailed to the adoptive parent(s)/legal guardian (if adoptive parent(s) is/are deceased) and youth 30 calendar days prior to the quarterly review due date for completion.
- Verification of the youth's continued employment, education, vocational or job training enrollment, or inability to participate in any educational or employment activities due to medical reasons must be provided every three months.

# Termination of the Young Adult Adoption Assistance Extension

The Young Adult Adoption Assistance Extension Agreement shall terminate when one of the following applies:

- Discontinues his/her educational, vocational, or trade program and does not re-enter a similar program or meet another eligibility requirement within 30 calendar days.
- Is no longer employed at least 80 hours per month and has not met one of the other eligibility requirements within 30 calendar days.
- Is no longer deemed incapable due to a medical condition and is not in compliance with another eligibility criteria.

# Termination of the Young Adult Adoption Assistance Extension (Continued)

- Is incarcerated for more than 30 calendar days.
- Reaches his or her 21<sup>st</sup> birthday.
- Marries.
- Enters military service.
- Becomes eligible for federal Supplemental Security Income (SSI) payments.
- Is residing with his/her biological parent(s).
- Dies.

# Notification Responsibilities

The DHS Adoption Subsidy Office will send written notification of termination of the adoption assistance by mail to the adoptive parent(s)/legal guardian (if adoptive parent(s) is/are deceased). This written notification will include a statement of the department's reason for termination and rights to an administrative hearing; see AAM 700, Administrative Hearings.

# Re-entering the Young Adult Adoption Assistance Program

The adoptive parent/guardian may re-apply for an adoptee to re-enter the Young Adult Adoption Assistance Extension program if the youth exited foster care to adoption (Order Placing Child After Consent) between the ages of 16 and 18, is under the age of 21, meets the eligibility criteria of the program and the Young Adult Adoption Assistance Extension was terminated when the youth:

- Discontinued his/her educational, vocational, or trade program and did not re-enter a similar program or meet another eligibility requirement within 30 calendar days.
- Was no longer employed at least 80 hours per month and did not meet one of the other eligibility requirements within 30 calendar days.
- Was no longer deemed incapable due to a medical condition and was not in compliance with another eligibility criteria.
- The youth was incarcerated for more than 30 calendar days.

**And**

# Recoupment

Recoupment for overpayments will be pursued retroactively to the date that eligibility ceased to exist; see AAM 140, Recoupment.

# Contact Office:

Bureau of Child Welfare

Permanency Division

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