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**OVERVIEW**

The Redetermined Adoption Assistance program was created by law that has not yet been funded by the state budget office. The Redetermined Adoption Assistance program is subject to state legislative appropriations of sufficient funds. The amount of payment or continuation of payment is subject to adjustment by the Michigan Department of Health and Human Services (MDHHS) due to changes in the legislative appropriations of funds.

It is intended to allow a one-time eligibility determination per adoptee with an active adoption assistance agreement prior to January 1, 2015. Adoptive parent(s)/legal guardian(s) (if adoptive parent(s) is/are deceased) of any child whose adoption through Michigan's child welfare system is finalized on or after January 1, 2015, and who did not have an open and active adoption assistance agreement on or after January 1, 2015, is eligible to apply one time for an eligibility determination up to their child's 18th birthday.

A redetermination of care rate is a supplemental payment that may be justified when extraordinary care and/or expenses are required. Documentation must verify that the extraordinary care and/or expenses are related to a condition that existed, or the cause of which existed, prior to the adoption and that the child's current adoption assistance rate does not include payment related to this condition. The condition must be verified by the appropriate licensed professional that practices in the adoptive parent(s)/legal guardian(s) (if adoptive parent(s) is/are deceased) state of residence.

**Note:** An application for this program may only be made one time per child. If an application is denied, subsequent applications will not be accepted.

**Program  
Administration**

The MDHHS Adoption and Guardianship Assistance Office (AGAO) administers this program and makes all decisions regarding eligibility for Michigan's adoption assistance programs and reimbursements.

Adoptive parent(s)/legal guardian(s) (if adoptive parent(s) is/are deceased) with an open and active adoption assistance agreement in which **payment began on or after January 1, 2015**, may submit

a one-time application for the Redetermined Adoption Assistance Program, if the adoptee has a condition that existed, or the cause of which existed prior to the adoption which requires extraordinary care and/or expenses and if the adoptee's current adoption assistance rate does not include payments related to this condition.

Adoptive parent(s)/legal guardian(s) (if adoptive parent(s) is/are deceased) with an open and active adoption assistance agreement in which **payment began prior to January 1, 2015**, may only submit a one-time application for the Redetermined Adoption Assistance Program between January 1, 2015, and March 31, 2015.

Adoptive parent(s) who receive a denial for adoption assistance **on or after January 1, 2015**, may submit a one-time application up to the child's 18th birthday for the Redetermined Adoption Assistance Program. The child must have been adopted from Michigan's child welfare system and have a condition that existed, or the cause of which existed prior to the adoption, which requires extraordinary care and/or expenses. The denial must notify the adoptive parent(s) of this program.

## PROGRAM ELIGIBILITY AND REQUIREMENTS

In order to be eligible for the Redetermined Adoption Assistance Program, documentation must show that extraordinary care and/or expenses are required of the adoptive parent(s)/legal guardian(s) (if adoptive parent(s) is/are deceased) that are measurably greater than what was required at the time of adoption. The extraordinary care and/or expenses must be related to a condition(s) that existed, or the cause of which existed, prior to the adoption and must be documented by the appropriate licensed professional. One or more of the following eligibility criteria must be met:

- The child has a physical disability.
- The child has diagnosed psychological or psychiatric needs.
- The child has severe acting out or antisocial behavior.
- The child requires a special diet.

**Note:** The child's special diet must require a more expensive than normal diet and extra time and effort by the adoptive parent.

The AGAO will determine if the documentation submitted is sufficient to meet eligibility criteria and may request additional documentation. If additional information is requested by the AGAO, the applicant must provide the information within 90 calendar days of the request, or the application will be denied.

### Program Limitations

The AGAO must take into account the determination of care (DOC) rate that was in effect when the child exited foster care to adoption, when determining eligibility for this program. If the child's current eligible maximum adoption assistance rate on an existing agreement includes a DOC rate payment that is equal to the requested redetermined adoption assistance rate, the child is not eligible for a redetermined adoption assistance agreement.

When the rate on the child's adoption assistance agreement includes a DOC rate, that amount will be deducted from the eligible redetermined adoption assistance rate.

The AGAO will take into consideration if the child is currently eligible for medical subsidy services related to the condition(s) when determining eligibility for the redetermined adoption assistance program. The AGAO may require an application be made for medical subsidy if the service may be covered through the medical subsidy program if the child were determined eligible.

**Note:** A child who is not eligible for Medicaid through adoption assistance program may be eligible through their local county MDHHS.

### VERIFICATION OF ELIGIBILITY

The adoptive parent(s)/legal guardian(s) (if adoptive parent(s) is/are deceased) must provide the following to the AGAO to apply for the redetermined adoption assistance program:

- DHS-1260, Parent Application for Redetermined Adoption Assistance Program.
- DHS-1261, Medical Needs form.
- One of the following redeterminations of care forms must be completed by the adoptive parent that they believe best describes their child's current circumstances:

- For children ages 0-12, the DHS-1262, Redetermined Adoption Assistance Determination of Care for Children 0-12.
- For children aged 13 and older, the DHS-1263, Redetermined Adoption Assistance Determination of Care for Children 13+.
- For medically fragile children, the DHS-1264, Redetermined Adoption Assistance Determination of Care for Medically Fragile Children Receiving Adoption Assistance.
- Supporting professional documentation which identifies the condition(s), explains how the condition(s) existed, or the cause of which existed prior to the adoption, and how the condition(s) result in extraordinary ongoing care and/or expenses by the adoptive parent(s)/legal guardian(s) (if adoptive parent(s) is/are deceased).

All documentation must be signed by the appropriate diagnosing licensed professional from the state or jurisdiction where the adoptive parent(s)/legal guardian(s) (if adoptive parent(s) is/are deceased) resides. Documentation must be related to one or more of the following conditions:

- Medical/physical conditions must be documented by a licensed physician or licensed physician assistant and must provide details about the extraordinary care and/or expenses that are required of the adoptive parent.
- Emotional conditions must be documented by a licensed psychologist, psychiatrist, licensed master's social worker, physician, or licensed physician assistant. The condition must be verified by the appropriate licensed professional that practices in the adoptive parent(s) state of residence. The documentation must provide details about the extraordinary care and/or expenses that are required of the adoptive parent(s).

**Note:** If the licensed professional is not practicing in Michigan, they must possess an equivalent state or government issued license.

- Psychiatric conditions must be documented by a licensed psychiatrist, licensed psychologist, or a licensed physician and must provide details about the extraordinary care

and/or expenses that are required of the adoptive parent(s).

- Attention deficit disorder/attention deficit hyperactivity disorder must be documented by either a licensed physician, licensed physician assistant, or by a fully licensed psychologist or psychiatrist. When the diagnosis is by a fully licensed psychologist, a comprehensive evaluation is required. Documentation must include details about the extraordinary care and/or expenses that are required of the adoptive parent(s).
- Education/learning conditions such as mental impairment, learning disability, developmental disability, emotional impairment, autism, or speech and language impairment must be documented by a current Individual Education Program (IEP), Individual Family Service Plan (IFSP) document, a comprehensive evaluation by a psychologist or psychiatrist, or speech and language pathologist (for speech and language diagnosis only) and must provide details about the extraordinary care and/or expenses that are required of the adoptive parent(s) must be provided.
- Education/learning conditions such as speech disorders, language disorders, social communication disorders, cognitive communication disorders, and swallowing disorders must be documented by a current Individual Education Program (IEP) or Individual Family Service Plan (IFSP) document or a comprehensive evaluation by a speech and language pathologist.
- Fetal alcohol syndrome must be documented by a medical geneticist, a licensed physician, a licensed neurologist, or a licensed psychiatrist and must provide details about the extraordinary care and/or expenses that are required of the adoptive parent(s).
- Hearing impairments must be documented by a licensed audiologist, licensed physician, or licensed physician assistant and must provide details about the extraordinary care and/or expenses that are required of the adoptive parent(s).
- Vision impairments must be documented by a licensed optometrist, ophthalmologist, licensed physician, or licensed physician assistant and must provide details

about the extraordinary care and/or expenses that are required of the adoptive parent(s).

- Motor impairments and sensory problems must be documented by a licensed physician, licensed physician assistant, or occupational therapist and must provide details about the extraordinary care and/or expenses that are required of the adoptive parent(s).

The AGAO will determine if the documentation submitted is sufficient to meet eligibility criteria and may request additional documentation. If additional information is requested by the AGAO, the applicant must provide the information within 90 calendar days of the request, or the application will be denied.

**Note:** If an application is denied, subsequent applications will not be accepted.

## REDETERMINED ADOPTION ASSISTANCE RATES

The following daily rates have been established for this program and are not subject to increases due to age:

Age or Special Need	Use Form	Level I	Level II	Level III	Level IV
AGE 0-12	DHS-1262	\$5	\$10	\$15	\$17
AGE 13-18	DHS-1263	\$6	\$11	\$16	\$18
Medically Fragile	DHS-1264	\$8	\$13	\$18	\$20

The AGAO must take into account the DOC rate that was in effect when the child exited foster care to adoption, when determining eligibility for this program. If the child's current eligible maximum adoption assistance rate on an existing agreement includes a DOC rate payment that is equal to the requested redetermined adoption assistance rate, the child is not eligible for a redetermined adoption assistance agreement.

When the rate on the child's adoption assistance agreement includes a DOC rate, that amount will be deducted from the eligible redetermined adoption assistance rate.

**REDETERMINED  
ADOPTION  
ASSISTANCE  
AGREEMENT**

The redetermined adoption assistance agreement is a written agreement between MDHHS and the adoptive parent(s)/legal guardian(s) (if adoptive parent(s) is/are deceased) for an adoptive child. This agreement enables an adoptive parent(s)/legal guardian(s) (if adoptive parent(s) is/are deceased) to receive a supplemental adoption assistance payment related to a condition that requires extraordinary care and/or expenses that are not included in the current adoption assistance rate and/or covered by medical subsidy.

In order for a child to be certified for the redetermined adoption assistance program, eligibility must be determined by the AGAO and the DHS-4113-RA, Redetermined Adoption Assistance Agreement, must be signed by the adoptive parent(s)/legal guardian(s) (if adoptive parent(s) is/are deceased) and the adoption and guardianship assistance program manager or MDHHS designee. The original agreement is returned to the adoptive parent(s) and the AGAO maintains a copy of the agreement in the adoption assistance record.

**Payment**

The redetermined adoption assistance payment is effective the date the adoption and guardianship assistance program manager or MDHHS designee signs the DHS-4113-RA or the date when funds are available, whichever is later.

Redetermined adoption assistance may continue during a period in which the adoptee is removed, due to delinquency from their home as a temporary court ward, provided no grounds for discontinuance of payment exists and if funds are available.

**AGREEMENT  
DURATION**

An adoptive parent must meet all of the responsibilities of their redetermined adoption assistance agreement to continue to receive assistance. Redetermined adoption assistance eligibility must exist until one of the following events occurs:

- The child becomes age 18.

- The child has not yet reached age 18 but is emancipated by any of the following:
  - Court order.
  - Marriage.
  - Entering the military service.
- The child dies.
- The adoption is terminated.
- The adoptive parent(s)/legal guardian(s) (if adoptive parent(s) is/are deceased) have requested in writing that the redetermined adoption assistance payment permanently stop.
- A determination of ineligibility is made by MDHHS. One or more of the following are reasons for a determination of ineligibility:
  - The adoptive parent dies unless a full legal guardian is appointed by the court and requests continuation of the redetermined adoption assistance through the state-funded program.
  - The adoptive parent(s)/legal guardian(s) (if adoptive parent(s) is/are deceased) are no longer legally responsible for the support of the child.
  - The adoptive parent(s)/legal guardian(s) (if adoptive parent(s) is/are deceased) are not providing support for the child. This includes when the child is no longer residing in the adoptive or legal guardian's home.
- The child no longer requires extraordinary care and/or expenses.

### Annual Report Reviews

MDHHS will conduct annual reviews using the DHS-829, Redetermined Adoption Assistance Annual Review, form to determine whether the adoptive parent(s) remain legally and financially responsible for the child. The form will be mailed to all adoptive parents who only receive redetermined adoption assistance.



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**FUNDING SOURCE**

The redetermined adoption assistance program is a state-funded program. Should the legislature fail to appropriate sufficient funding for the continuation of this program, payment would be discontinued.

**DENIAL AND  
APPEALS**

If the redetermined adoption assistance application is denied, the AGAO will provide the DHS-1265, Redetermined Adoption Assistance Denial Notice, to the adoptive parent(s)/legal guardian(s) (if adoptive parent(s) is/are deceased) that includes the reason(s) for the denial and information regarding the right to request an administrative hearing; see [AAM 700, Adoption Assistance Administrative Hearings](#).

If the child's current eligible maximum adoption assistance rate already includes a DOC rate, that is equal to the requested redetermined adoption assistance rate, then a denial for redetermined adoption assistance will be issued.

An application for this program is limited to one time per child. If the adoptive parent(s)/legal guardian(s) (if adoptive parent(s) is/are deceased) previously applied for the Redetermined Adoption Assistance Program for the child, then any new applications will be denied.

**REDETERMINE  
ADOPTION  
ASSISTANCE  
EXTENSION  
BEYOND AGE 18**

As of February 1, 2015, the extension programs for redetermined adoption assistance have been rescinded.

**RECOUPMENT**

Recoupment for overpayments will be pursued from the payee retroactively to the date that eligibility ceased to exist; see [AAM 140, Recoupment](#).

**POLICY CONTACT**

Direct questions about this policy item to the [Child Welfare Policy Mailbox](mailto:Child-Welfare-Policy@michigan.gov) ([Child-Welfare-Policy@michigan.gov](mailto:Child-Welfare-Policy@michigan.gov)).