



# ADOPTION SUBSIDY AGREEMENT

State Form 51887 (R2 / 12-05) / CW 0048

ICWIS number
Agreement status <input type="checkbox"/> Initial <input type="checkbox"/> Renewal

- Supplement to the Adoption Assistance Agreement for the IV-E Child
- Only Adoption Subsidy Agreement for the Non-IV-E Child

Name of local Department of Child Services (DCS) office		Name of adoptive parent(s)	
Address of local DCS office ( <i>number and street, city, state, ZIP code</i> )		Address of adoptive parent(s) ( <i>number and street, city, state, ZIP code</i> )	
Legal name of adoptive child at adoption finalization		Date of birth of adoptive child ( <i>month, day, year</i> )	
County and court in which adoption finalized	Adoption case number	Date of adoption order ( <i>month, day, year</i> )	
Type and amount of county adoption subsidy ordered	Date of initial adoption subsidy payment ( <i>month, day, year</i> )	End date of adoption subsidy payment ( <i>month, day, year</i> )	
Non-IV-E child qualifies for Medicaid because of condition or cause of condition existing prior to the adoption <input type="checkbox"/> Yes <input type="checkbox"/> No			
Qualifying physical, medical, mental, or emotional condition or cause of condition of non-IV-E child		Date condition or cause first occurred ( <i>month, day, year</i> )	

**The agreement, located on the reverse side of this form, has been entered into by and between the local DCS office and the adoptive parent(s):**

<b>This agreement shall be renewed and the subsidy continued, provided all of the above-mentioned terms are met and provided the adoptive parent(s) files the required sworn report with the court and the local DCS office each year the agreement is in effect.</b>	
Signature of first <input type="checkbox"/> Only <input type="checkbox"/> Adoptive parent	Date signed ( <i>month, day, year</i> )
Signature of second adoptive parent ( <i>if applicable</i> )	Date signed ( <i>month, day, year</i> )
Signature of local director	Date signed ( <i>month, day, year</i> )

**DISTRIBUTION:** White - Parent(s) copy (*check one*)     Given     Mailed    Date: \_\_\_\_\_  
 Canary - Case Record

#### **A. GENERAL PROVISIONS OF THE AGREEMENT**

1. The adoption subsidy must be petitioned for and ordered by the court (IC 31-19-26).
2. The court may order an adoption subsidy for the eligible adoptive child. The total amount of the adoption subsidy and any adoption assistance payments received through the Title IV-E Adoption Assistance agreement cannot exceed 100% of the foster child care per diem for the child.
3. If the adoptive child is not also eligible for Title IV-E reimbursement, the child is entitled to Medicaid coverage provided the child has a qualifying medical, physical, mental, or emotional condition or the cause for the condition that existed prior to the adoption. As is true for all Medicaid recipients, Medicaid is the last payer for the child's medical expenses, after other medical insurance or public monies which may be available to meet the health care expenses of the child are used. All AAP children are eligible for Medicaid under MA 8.
4. As required under Indiana law (IC 31-19-26), the adoptive parent(s) shall make a sworn report to the court on all adoption subsidy children, with an additional copy filed with the local DCS office, at least once a year, stating the location of the adoptive parents and the location and condition of the adoptive child. On the basis of this report, the court may order a change in or discontinuance of the maintenance or medical subsidy. The court and the local DCS office may request confirmation of the veracity of this report.
5. The adoption subsidy continues until the child becomes 18 years of age, the child is emancipated, the child dies, the adoption is terminated, or the court orders the subsidy terminated. The court may order the subsidy to be continued until the child becomes 21 years of age if the child petitions the court for this and the court determines that the child is enrolled in a secondary school, college or university, or a course of vocational training leading to gainful employment.
6. The adoption subsidy does not affect the legal status of the child or the rights and responsibilities of the adoptive parents as provided by law.

#### **B. OBLIGATIONS OF THE ADOPTIVE PARENT(S)**

1. The adoptive parent(s) agrees to file a sworn report with the court and the local DCS office, at least once a year, stating the location of the adoptive parent(s) and the location and condition of the adoptive child. The adoptive parent(s) further agrees to provide any confirmation requested by the court or the local DCS office to substantiate the veracity of the report.
2. The adoptive parent(s) agrees to give written notification to the court and the local DCS office of any change in the address of the adoptive parent(s) and/or the adoptive child, or of any other change in the circumstances of the child or family which might render the child ineligible.
3. The adoptive parent(s) agrees to give written notification to the court and the local DCS office when the parent(s) is no longer legally liable for the support of the adoptive child. The parent(s) is not legally liable for the child's support when the child reaches age 18, marries, joins the military, or is legally emancipated by a court.

#### **C. OBLIGATIONS OF THE LOCAL DCS OFFICE**

1. The local DCS office will process adoption subsidy payments ordered by the court (IC 31-19-26).
2. The local DCS office will process Medicaid enrollment as an entitlement for the IV-E eligible child; and as an entitlement for the non-IV-E eligible child for whom an adoption subsidy is ordered and who qualifies for Medicaid because of a medical, physical, mental, or emotional condition which meet legal requirements (P.L. 105-89 effective 11/19/97).
3. The local DCS office will continue adoption subsidy payments for the adoptive child who moves out of the state with the adoptive parent(s). In the event of such a move, the local DCS office will continue the subsidy and will work with the central office through the Interstate Compact for Adoption and Medical Assistance (ICAMA) to assist the adoptive parent(s) in obtaining any adoption subsidy medical assistance which is available in the new state of residence.
4. In the instance of an Indiana child who is placed by a licensed child-placing agency, the local DCS office ordered to pay the adoption subsidy will also process the Medicaid enrollment and any necessary ICAMA documentation.

#### **D. DURATION OF THE ADOPTION SUBSIDY AGREEMENT**

The adoption subsidy agreement shall continue until one of the following occurs:

1. The adoptive child becomes 18 years of age, or up to a maximum of 21 years of age if the subsidy is continued by order of the court because the child is continuing education or training.
2. The adoptive child becomes legally emancipated.
3. The adoptive child dies.
4. The child's adoption is terminated.
5. The subsidy is terminated by order of the court.