

	INDIANA DEPARTMENT OF CHILD SERVICES CHILD WELFARE POLICY	
	Chapter 14: Adoption Assistance and Guardianship Assistance Section 08: Negotiations for Adoption Assistance	
	Effective Date: January 1, 2026	Version: 10

POLICY OVERVIEW

The Indiana Adoption Assistance Program (AAP) and the State Adoption Subsidy (SAS) help adoptive parents meet the needs of eligible children. If a child qualifies, the family may receive a monthly payment (called a Periodic Payment). The amount is decided through a discussion between the family and the Indiana Department of Child Services (DCS).

This policy explains how DCS and families work together to decide the payment amount.

POLICY STATEMENT

Adoption Assistance helps families to meet children's needs. DCS will work with each family to:

1. Determine the current and ongoing needs of the child being adopted and the cost of those needs;
2. Understand the circumstances of each family;
3. Understand the resources available to the family;
4. Use this information to determine a Periodic Payment amount that will assist the family with integrating the child into the adoptive family.

Note: Eligibility for Medicaid and the reimbursement of appropriate Non-Recurring Adoption Expenses (NRAE) are not negotiated.

How the Payment is Set

1. The base subsidy for the adoption assistance Periodic Payment for AAP or SAS will be 100% of the amount that would have been payable for the eligible child's care if the child were in foster care.
2. This rate is offered to prospective adoptive parent of the eligible child regardless of demonstrated need.
3. If the prospective adoptive parent wishes to negotiate for a higher subsidy, they may do so.
4. If the prospective adoptive parent does not want to receive a subsidy and sign an agreement indicating the same, the resulting Periodic Payment for the eligible child will be \$0.

What Happens After Eligibility is Decided

Upon the completion of a Final Adoption Program Eligibility Determination form, indicating the child's eligibility for AAP or SAS (whichever is applicable), DCS will provide the prospective adoptive parent with a copy of the following documents:

1. The notice of Final Adoption Program Eligibility Determination form; and

2. If determined eligible, an adoption assistance agreement currently approved by DCS for use in AAP or SAS cases (whichever is applicable); or
3. If determined ineligible for AAP or SAS, the Request for Administrative Review-Indiana Adoption Program form. This would include children who have been determined ineligible for either AAP or SAS, or eligible for SAS due to the determination that the child is not eligible for AAP.

How Negotiations Work

The amount of the Periodic Payment to be included in the adoption assistance agreement will be determined through discussion and negotiation between the prospective adoptive parent and/or their attorney and DCS. Negotiations will occur through the DCS Adoption Assistance Negotiation Unit, located in the DCS Central Office. During the negotiation, the DCS Local Office Director (LOD) or designee and the designated DCS Central Office Attorney will represent DCS. The prospective adoptive parent may choose to be represented by an attorney or to participate directly in the negotiation.

Negotiations will be completed for each eligible child even if DCS has or anticipates withholding its consent to the adoption.

Documents Used in Negotiation

The following will also be provided to the DCS Negotiations Unit for consideration in determining the Periodic Payment amount (eligibility documents):

1. The Final Adoption Program Eligibility Determination form,
2. Unsigned adoption assistance agreement, and
3. Other information prepared by DCS staff, if necessary.

Timelines and Deadlines

Upon receipt, DCS will offer 100% of the child's foster care maintenance payment (FCMP) rate to the prospective adoptive parent and/or their attorney.

Negotiation of the Periodic Payment amount will occur and should be completed within 45 calendar days after the date the DCS Negotiations Unit receives the eligibility documents.

The agreement must be signed by DCS and the prospective adoptive parent before entry of the Final Decree of Adoption. **If the adoption is granted before the agreement has been signed by both DCS and the prospective adoptive parent, no agreement may be entered into, and the child is not eligible for any form of adoption assistance under the Indiana Adoption Assistance Program.**

LEGAL REFERENCES

- [IC 31-19-26.5-1: Adoption Subsidy](#)
- [IC 31-19-26.5-10.5: Required agreement and allocation of funds from the adoption assistance account](#)
- [42 USC 673: Adoption and guardianship assistance program](#)
- [45 CFR 1356.40: Adoption assistance program: Administrative requirements to implement section 473 of the Act.](#)
- [465 IAC 3: Administrative Reviews and Hearings](#)
- [465 IAC 4I: Indiana Adoption Assistance and Guardianship Assistance Programs](#)