

	INDIANA DEPARTMENT OF CHILD SERVICES CHILD WELFARE POLICY	
	Chapter 14: Adoption Assistance and Guardianship Assistance Section 04: Administrative Review for Guardianship Assistance Program	
	Effective Date: January 1, 2026	Version: 6

POLICY OVERVIEW

Guardians and prospective guardians may ask for an administrative review if they disagree with a decision about the Guardianship Assistance Program (GAP) or the amount paid for non-recurring expenses (NRE).

POLICY STATEMENT

The Indiana Department of Child Services (DCS) will review a request for administrative review when:

1. A guardian or prospective guardian disagrees with the DCS decision; or
2. There is a disagreement about the amount allowed for nonrecurring expenses (NRE).

When to Request an Administrative Review

The required documentation must be submitted to DCS **within 15 calendar days** of receiving notice (by mail or hand delivery) of any of the following:

1. Final GAP decision denying eligibility;
2. Final Offer Letter for periodic payments;
3. Decision on the amount allowed for NRE;
4. Denial of a request to change payment terms in the Guardianship Assistance Agreement (if no agreement was reached);
5. Denial of a request to continue GAP payments beyond age 18; or
6. Termination or suspension of GAP payments (for reasons other than the child's age, death, or end of guardianship).

How to Submit a Request

To submit a Request for Administrative Review Indiana GAP form:

- Send the form to DCS Hearings and Appeals in the format listed on the form. The prospective guardian should state the reason for requesting a review and include documentation to support the request.
- If the request is not acted on timely, the guardian must wait at least 60 calendar days after submitting the claim before requesting a review.

Review of Initial Periodic Payment Amount

If a prospective guardian disagrees with the payment amount, they may:

1. Accept the amount by signing and returning the Guardianship Assistance Agreement;
2. Sign the agreement but include a note stating they disagree with the periodic payment amount, and submit it with the Request for Administrative Review form; or
3. Submit the Request for Administrative Review form without signing the agreement.

Note: If the agreement is signed and returned (option 1 or 2 above), DCS will begin payments on the date the guardianship order is entered. If the periodic payment amount changes after the review or appeal, DCS will issue an amended agreement with the updated amount, backdated to the guardianship order date (see policy [14.05](#)).

If the prospective guardian does not sign the agreement, they may request an administrative review. The administrative review and any appeal under policy [14.05](#) should be completed before the guardianship order is entered.

Important Eligibility Note

The Guardianship Assistance Agreement must be signed by both DCS and the guardian **before** the court enters the guardianship order. If the guardianship order is entered first, the child will not be eligible for any GAP assistance.

Note: If the Guardianship Assistance Agreement is not signed before the court enters the guardianship order, the child may also lose Medicaid eligibility.

Continuation After Age 18

To change a DCS decision about continuing GAP after age 18, the guardian must show:

1. DCS CEU did not consider important documentation submitted with the application;
2. DCS CEU did not properly review the information provided about the child's condition (if the request is based on a physical, mental, medical, or emotional condition that limits self-support); or
3. The decision goes against current law or DCS policy.

LEGAL REFERENCES

- [IC 31-9-2-17.8\(1\)\(E\): Authorization for guardianship assistance program](#)
- [IC 29-3-12-6\(b\): Continuation of assisted guardianship after age 18](#)
- [IC 29-3-8-9\(f\): Support obligation of guardian receiving GAP payments](#)
- [42 USC 673: Adoption and legal guardianship incentive payments](#)
- [465 IAC 3-2: Administrative Reviews](#)
- [465 ICA 3-2-5: Administrative review of certain determinations under the Indiana adoption assistance program or Indiana guardianship assistance program](#)
- [465 IAC 4-2-33: Continuation of guardianship assistance agreements beyond age 18](#)