	INDIANA DEPARTMENT OF CHILD SERVICES CHILD WELFARE POLICY	
	Chapter 14: Adoption Assistance and Guardianship Assistance **Section 09:** Modifying an Adoption Assistance Agreement	
	Effective Date: January 1, 2026	**Version:** 4

POLICY OVERVIEW

An adoptive parent who has an Adoption Assistance Agreement (AAP) or state adoption subsidy (SAS) and is receiving regular payments may ask to change the amount if the child's or family's needs change.

POLICY STATEMENT

Requesting a Change in Payment

Requests may only be made once in a 12-month period. To ask for a change in the payment amount:

1. The adoptive parent must send the request to the DCS local office that handled the Child In Need of Services (CHINS) or Juvenile Delinquency (JD) case when the child was adopted; and

   Note: If there was no CHINS or JD case, the request must be sent to the DCS local office in the child's county of residence.

2. The request must include:
   a. All required documents and relevant information, and
   b. An explanation of what has changed since the last agreement that was not known or expected before.

DCS will grant or deny any request to change an agreement **within 60 calendar days** and send a letter to the adoptive parent with the decision. DCS may ask the adoptive parent and other sources for more information when considering a change in payment. Information from other sources will be shared with the adoptive parent and may be redacted to protect the source.

Note: The modified AAP or SAS must be equal to 100% of foster care rate.

If the adoptive parent disagrees with the DCS decision, they have the right to request an administrative review (see policy 14.04).

Temporary Changes

DCS may approve a temporary change in payment. If the situation continues, the adoptive parent may ask for an extension. If approved by DCS, all changes must be written in the amended agreement.

Child Not Living with Adoptive Parent

If the child is placed elsewhere (e.g., foster care, juvenile detention), the adoptive parent is not financially responsible for the placement. DCS may ask the adoptive parent to renegotiate the payment amount. Any changes will be made in writing and signed by DCS and the adoptive parent.

> **Note:** If DCS finds the adoptive parent is no longer financially supporting or legally responsible for the child, payments may be paused or the agreement may be ended. This decision will be made on a case-by-case basis (see policy 14.10).

Child Support Orders

If DCS is paying for a child's care, and an agreement on payment cannot be reached with the adoptive parent, DCS will seek a court order for child support. DCS and the adoptive parent may agree to offset the child support order amount against the adoption assistance payments.

> **Note:** DCS may also seek a child support court order, if someone other than DCS or the adoptive parent is paying for the child's care in an out-of-home placement.

LEGAL REFERENCES

- IC 31-40-1-5: Obligation of parent or guardian for costs of placement; remittance of support payments; enforcement
- IC 31-19-26.5: Chapter 26.5. Adoption Subsidies
- IC 31-19-26.5-10.5: Required agreement and allocation of funds from the adoption assistance account
- 42 USC 673(a)(4) Adoption and Guardianship Assistance Program
- 465 IAC 3 Administrative Reviews and Hearings
- 465 IAC 4 Indiana Adoption Assistance and Guardianship Assistance Programs