



DCS Practice SOP

Guardianship and Adoption

14.11: Administrative Review for Adoption Assistance

Related Policy: [14.11](#)

Effective Date: January 1, 2026

Version: 1

Roles

- Administrative Reviewer
- DCS Central Eligibility Unit (CEU)

Procedure

Submitting a Request:

- The adoptive parent must send a Request for an Administrative Review to DCS Hearings and Appeals;
- The form must be sent within 15 calendar days of the decision notice; and
- The request must include:
 - The reason for the Review, and
 - Any documents that support the request

The Review Process:

- A DCS Administrative Reviewer will:
 - Review the Request and the attached documents from both the parent and DCS staff; and
 - Ensure no one involved in the original decision is part of the administrative review.

Types of Reviews (See References for the other policies that are applicable to adoption assistance):

- Eligibility Review -To overturn a denial, the reviewer must find that DCS made a mistake in law, rule, or policy.
- Initial Payment Review - To change the payment amount, the reviewer must find that:
 - DCS did not follow rules or policy,
 - DCS did not consider important documents,
 - The payment amount is clearly too low and not supported by facts.

Note: If the adoption decree is entered before both DCS and the prospective adoptive parent have signed the Adoption Assistance Agreement or SAS agreement, the child **will not be eligible** for any adoption assistance or Medicaid coverage based on the adoption.

- Modification Review – This review considers if periodic payments may increase. The parents must show:
 - A change in the child’s needs or family’s finances,
 - The change happened after the agreement was signed
- Termination or Suspension Review – This review is used to overturn a stop in payments; the reviewer must find:
 - DCS made a mistake in facts, or

- The decision went against law or policy.
- Continuation after Age 18 – This review is used to overturn a denial; the reviewer must find:
 - DCS did not review all documents,
 - DCS did not properly consider the child’s condition, or
 - The decision went against law or policy.

After the Review:

- DCS will send a written decision and instructions for next steps
- If the parent disagrees, they may file a Request for Administrative Hearing within 30 calendar days.

DCS will not review:

- Requests to change language or format of the agreement form;
- Decisions about percentage cuts in current State Adoption Subsidy (SAS) payments; or
- Other decision not listed in policy or law.

Definitions

- N/A

Resources

- Application for Continuation of Adoption Assistance Agreement Beyond Age Eighteen – Available via CEU
- Final Adoption Program Eligibility Determination – Available via CEU
- Notice of Termination of Adoption Agreement – Available via CEU
- Payment Request Information (PRI) form – Available via CEU
- [Request for Administrative Hearing \(SF 54349\)](#)
- [Request for Administrative Review \(SF 54348\)](#)

Additional Information

- N/A

References

- [Policy 10.15 Eligibility Requirement for Adoption Assistance](#) – [Related Practice SOP](#)
- [Policy 14.08 Negotiations for Adoption Assistance](#) – [Related Practice SOP](#)
- [Policy 14.09 Modifying an Adoption Assistance Agreement](#) – [Related Practice SOP](#)
- [Policy 14.10 Adoption Assistance Program \(AAP\) Payments](#) – [Related Practice SOP](#)
- [Policy 14.12 Administrative Appeals for Adoption Assistance](#) – [Related Practice SOP](#)