

NORTH CAROLINA DIVISION OF SOCIAL SERVICES  
FAMILY SERVICES MANUAL  
VOLUME I: FAMILY SUPPORT AND CHILD WELFARE SERVICES  
CHAPTER VI: ADOPTION SERVICES

**Change #03-2009**

**POST ADOPTION SERVICES**

**February 2009**

**SECTION 1306 - POST ADOPTION SERVICES**

**CHANGE #03-2009**  
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**I. INTRODUCTION**

As a result of several system reforms through the MRS, SOC, statewide initiatives-and the philosophy that every child deserves a permanent family, there has been a dramatic increase in adoption of children with special needs in this country. This increase has focused attention on the needs of families after they adopt children with special needs. Some families require agency involvement throughout the child's minority while other families require services on a periodic basis. All families need the assurance that supportive services will be available and encouragement to participate in ongoing educational and training events.

In recognition of the need for post-adoption services in this country, Congress included a provision for adoption promotion and support services in the Adoption and Safe Families Act of 1997. North Carolina Administrative Rules 70H.0201 and 70M.0301 includes services to biological parents, adoptive parents and adopted children, or adult adoptees following entry of the decree of adoption in the definition of an adoption caseload. Post-adoption services should be designed to address issues that developed before or after the Decree of Adoption. It is not a continuation of supervision, but services provided as needed and requested by any of the parties in an adoption.

**The agency shall make post-adoption services available to every adoptive family, as appropriate.**

The Department of Social Services in the county where the family resides is the agency responsible for providing post-adoption services. This is true even if the agency neither placed the child nor supervised the placement. However, the placement agency and the resident county should work together to do what is most helpful for the family, regardless of what agency has responsibility for the child..

**II. CHILDREN PLACED FOR ADOPTION FROM THE FOSTER CARE SYSTEM IN NORTH CAROLINA**

**A. RECOMMENDED SERVICES:**

**1. Information and Referral**

These services include responding to questions, maintaining a list of mental health providers and Medicaid providers, maintaining a list of respite care services, and providing financial assistance information or other information on

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issues presented by the family. Careful and individualized attention given to each family's particular needs, strengths and circumstances must be taken into consideration in order for these services to be most effective.

Families may be referred to some of the many websites regarding adoption services. Some of them include the National Adoption Center at <http://www.adopt.org>, AdoptNet information, Resources and Support for adoptive and foster families at <http://www.adoptnet.org>, the North American Council on Adoptable Children at <http://www.nacac.org/> and an extensive listing of adoption links at <http://www.adopting.com> and The National Adoption Information Clearinghouse at [http://naic.acf.hhs.gov/pubs/adoption\\_gip\\_three.cfm](http://naic.acf.hhs.gov/pubs/adoption_gip_three.cfm).

**2. Case Management and Service Planning**

Coordinating all services to child and family that are appropriate, assessable and not replicated.

**3. Advocacy**

Advocacy includes activism at the local and state level to evaluate needs, to maintain awareness of the issues facing adoptive families, and support for new, improved and expanded services for individuals and groups of children and families.

**4. Support**

The challenges of parenting special needs children may continue throughout their lives. New issues may arise as children face each developmental stage. While adoptive families are expected to take the lead in making provisions for services, agency involvement may be crucial to access needed resources and to provide support. Agency services may range from phone calls or home visits on a regular basis to intensive involvement with the family.

**5. The Provision of Non-identifying Background Information**

Agencies receive many requests from adopted children, adoptive parents, and biological family members for information to assist them in the search for the other party. Often those who seek information are not aware of the county or agency responsible for the placement. If the agency is unable to ascertain where the adoption took place, the agency should contact the Division of Social Services, Adoption Review and Indexing Services to see if the adoption

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occurred in North Carolina. If the adoption occurred in this state, the Division representative will refer the person to the public or private agency that made the placement. It is the responsibility of that agency to provide the information. (See Article 9 of Chapter 48 for the law on confidentiality of records and disclosure of information. Further law on prohibited practices in connection with adoption is in Article 10. Guidance on what can be released and to whom non-identifying information can be given is provided in Legal Guides, Section 1302).

The National Adoption Information Clearinghouse is a resource on searching for birth relatives. Their website is <http://www.childwelfare.gov/>

**6. Confidential Intermediary Search**

Adoptees 21 years or older may request the services of private adoption agencies or county departments of social services to provide confidential search for members of their birth family to obtain and share non-identifying birth family information, facilitate contact or share identifying information with adult adoptees, adult lineal descendants with deceased adoptees and biological parents with the written consent of all parties to the contact or sharing of information. Agency may also share non-identifying information with adoptive parents of minor adoptees. There may be a fee for confidential intermediary services. See Children's Services Manual, Chapter VI, Section 1305 Confidential Intermediary Search)

**7. Education**

Educational issues may present many challenges to adoptive parents. Support may include parent training, parent mentors, educational materials, newsletters, opportunities for attendance at local or national conferences, accompanying parents to school conferences, support groups, and respite care.

**8. Family Building Activities**

Examples are adoption celebrations, retreats, recreational and social events, pairing families in a buddy system, retreats for adopted parents and/or children, and similar planned events that provide opportunities for adoptive families and children to meet others and develop networks for support. Camps or similar events to provide opportunities for adoptees to be with siblings who are adopted by other families or who remain in foster care are other examples of family building activities.

**9. Respite Care**

A respite care program involves planned activities that allow parents and children to have time for themselves. Occasional child care, weekend visits or some of the family building activities offer opportunities for parents and children to have time away from each other. Often foster parents who have adopted children have networks for respite care. The agency can assist in providing county funds or formalizing a respite care program with the foster parent association, mental health or other child care providers in the community. If a child receives adoption assistance, the vendor payments can be used for respite care.

**10. Intensive and Long-term Family Services**

In collaboration with mental health services, multidisciplinary teams can pool knowledge and resources to meet the physical, psychological, and behavioral needs of children and families. The concerted efforts by caring professionals may be the only means of keeping an adoption in tact.

**B. RETURN TO FOSTER CARE FOLLOWING AN ADOPTION DISSOLUTION**

As with all other children who enter the foster care system, eligibility and determination of eligibility is based on the circumstances of the child's family. The fact that a child received IV-E adoption assistance benefits in the adoptive home does not make him/her eligible for IV-E benefits in foster care. However, if a child received IV-E adoption assistance benefits in a prior adoption, he/she is eligible for IV-E adoption assistance in a subsequent adoption regardless of the source of foster care funding following the dissolution. (Refer to Section 1600, Child Welfare Funding – Adoption Assistance Payments) for funding sources for readopted children).

**III. RESOURCES FOR FAMILIES OF CHILDREN WITH SPECIAL NEEDS WHO WERE PLACED FOR ADOPTION BY PUBLIC OR PRIVATE AGENCIES IN NORTH CAROLINA**

**A. MONTHLY ADOPTION ASSISTANCE CASH PAYMENTS**

Monthly cash assistance payments will be the primary source of post-adoption support for many families since they may not need or request any other services. (See Section 1600, Child Welfare Funding –Adoption Assistance). When post-adoption services involve the out-of-home placement for a child, it is important to note the federal guidelines on when adoption assistance benefits can be terminated. Once an adoption

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assistance agreement is signed and in effect, it can be terminated under one of the following circumstances:

- the child is 18 years old;
- the adoptive parent(s) has requested the termination of Adoption Assistance benefits;
- the adoptive parent(s) dies
- the adoptive parent(s) is no longer legally responsible for or providing financial support for the child;
- a court of competent jurisdiction has terminated the parental right(s) of the adoptive parent(s);
- the child dies;
- the child is readopted;
- the child is emancipated;
- the child marries; or
- the child enlists in the military;

**NOTE: The Federal guidelines, ACYF-CB-PA-01-01 dated January 23, 2001 states that a parent is no longer legally responsible for the support of a child when parental rights have been terminated, or when the child becomes an emancipated minor, marries, or enlists in the military. "Any support" is defined as various forms of financial support, including family therapy, tuition, clothing, maintenance of special equipment in the home, or services for the child's special needs. When the child is placed in agency custody and the adoptive parents refuse to provide support for the child, a court order for child support is appropriate.**

Sometimes adoptive families or adopted children make their own arrangements for out-of-home placements. Again, the fact that the child is not living in the home does not mean the adoption assistance should be terminated. Even when children return to the biological family, the adoptive parents are still legally responsible. Support can be provided through financial support to the biological parents, purchase of clothes and other necessities, and the maintenance of a home for the child. There have been many situations where a child has returned to the adoptive home after realizing that many of his beliefs about the birth families were fantasies. Other arrangements may include support in establishing a separate living arrangement by paying rent or utilities, or

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purchasing necessary items for the child's new living arrangement. Often these arrangements prove to be temporary and the child returns to the adoptive family. Even if the arrangements continue, the adoptive parents are providing for the needs of the child in a manner that works for the family.

**B. VENDOR PAYMENTS**

The vendor payment program is designed to assist with expenses related to remedial, psychological and medical needs that are not covered by Medicaid. Adoptive parents should be encouraged to use the vendor payments for needed supportive services. These funds can be used for a variety of services as long as it can be documented that the use of the funds relates to a special needs condition that existed prior to the completion of the adoption. The total amount of the annual vendor payments of \$2400 can be used for any combination of remedial, medical and/or therapeutic services (non-medical services). This means that all of the funds can be used on medical services; all of the funds can be used for therapeutic services (non-medical services); or the funds can be used for a combination of medical and therapeutic services (non-medical services). (See Section 1600, Child Welfare Funding – Adoption Assistance Payments)

**C. MEDICAID**

Medicaid benefits are critical to the successful placement of children with special needs. Refer to Medicaid website for information on available services: <http://www.dhhs.state.nc.us/dma>.

North Carolina joined the Interstate Compact on Adoption and Medical Assistance (ICAMA) in 1999. This allows children who receive non IV-E adoption assistance benefits to receive Medicaid when the adoptive parents move to a state that is a member of the compact. It is most important to complete the necessary paperwork to assure that Medicaid continues for children when the adoptive parents move to another state. Since many states will not provide Medicaid without the completed paperwork, counties should complete the ICAMA forms for all children regardless of the funding source for the adoption assistance when the family moves to another state. (See ICAMA under Adoption Assistance for children who come from other states. See Section 1600, Child Welfare Funding – Adoption Assistance Payments)

**D. LINKS PROGRAM**

The LINKS program is described in Family Services Manual, Chapter IV: Child Placement, Section 1201. Adopted adolescents between the ages of thirteen and twenty-one (13-21) who exited the foster care system as teenagers are eligible to participate in this program. Agencies should consider this resource for adopted adolescents in the same way that they consider these services for other adolescents

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who are in foster care or had been in the foster care system. Youth adopted after the age of thirteen who are interested in participating in LINKS may contact their former foster care agency's LINKS Coordinator or the LINKS Coordinator in their current county of residence to find out about the availability of LINKS services.

**E. NCREACH**

Funding is available for scholarships for youth who were adopted on or after the age of 12. The scholarships will supplement the cost of attendance, as defined by the Higher Education Act of 1965, at any branch of the University of North Carolina or any of the North Carolina Community Colleges. Federal grants, including Education Training Voucher and Pell grants, must first be applied to the cost of attendance. Educational loans incurred by students after July 31, 2007, may be eligible for repayment through this program. Students will be eligible for up to eight semesters of assistance as long as they are making satisfactory progress toward completion of their academic program. Students are eligible for assistance until their 26<sup>th</sup> birthday.

**F. CONTRACTUAL SERVICES**

In response to the federal requirement under the Adoption and Safe Families Act, the Division has contracted with regional agencies to assure that post adoption services are available to each region in the state. Agencies may contact the Division for information on participating contractors to enlist help in providing post-adoption services to families even if the contract private agency was not involved in the adoption process. These agencies are resources and should not be used to substitute for the agency's responsibility to provide post-adoption services.

**G. RESOURCES FOR FAMILIES OF WITH NON SPECIAL NEEDS CHILDREN**

When requests for post-adoption services are received from families who have adopted, the placing agencies should be contacted for support in providing services to these families. The extent of post-adoption services to these families will depend on the availability of resources to the agency and community.

**H. RESOURCES FOR FAMILIES OF CHILDREN ADOPTED IN OTHER STATES AND LIVING IN NORTH CAROLINA**

If necessary, efforts should be made to contact the placing agency in the other state to obtain as much information as possible to assist the family. Services to these families must be provided to the extent that resources to the agency and community permit.

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All children who receive IV-E funded adoption assistance benefits are eligible for Medicaid in this state. If the child was placed by a state that is a member of the Interstate Compact on Adoption and Medical Assistance (ICAMA) and the family is requesting Medicaid for the child who receives IV-E funded adoption assistance, the child is eligible for Medicaid in North Carolina. (Section 1600, Child Welfare Funding – Adoption Assistance Payments). If the family does not have a copy of the Adoption Assistance Agreement, the agency or the adoptive parents should contact the other state and request the necessary paperwork. The agency is not obligated to provide Medicaid for non-IV-E funded children who come from states that are not members of the Interstate Compact on Adoption and Medical Assistance. However, a referral to the Medicaid office is appropriate to determine if the family's income meets the eligibility requirements for Medicaid in this state.

**I. RESOURCES FOR FAMILIES OF CHILDREN ADOPTED FROM FOREIGN COUNTRIES**

The Intercountry Adoption Act of 2000 (Section 205), mandates that all states collect and report information on all children who enter into state custody as the result of disruption or dissolution of an adoption. The data must include information on the plans for the child and the reasons for the dissolution. When these children come into the foster care system, services are provided in the same manner as all other children who enter foster care. Request for post-adoption services prior to a disruption or dissolution must be provided within limits of available funding and resources in the community.

**Post-Adoption Service Codes**

See Services Information System (SIS), including codes for LINKS and Family Preservation Programs.