

HB 2119 -- ADOPTION SUBSIDIES FOR YOUTH WITH ELEVATED NEEDS

SPONSOR: Thomas

Current adoption subsidy and subsidized guardianship agreements may be available to families until the child reaches the age of 18 years, or, in certain circumstances when a specific medical, mental health, or dental need exists, on a yearly basis until the child is 21 years old.

This bill establishes a new subsidy that is designed to continue beyond 18 years of age and ends upon attaining 21 years of age. Foster youth with elevated needs-level B, as described in the bill, who are involved in an adoptive or legal guardianship placement shall receive subsidy payments that are equal to maintenance payments received for youth with elevated needs-level B through an adoption subsidy agreement. Such youth shall be eligible for such payments when adopted and are not required to seek a status change. The maintenance payments described under the provisions of the bill shall be retroactively applied to the original date of the home placement of the youth.

The Children's Division within the Department of Social Service may approve an 18+ adoption subsidy if the child has extraordinary documented physical, mental health, or dental needs that require care beyond the age of 18. Upon turning 18, the adoption subsidy shall be negotiated with the adoptive parent according to the child's current needs and with the intent of transitioning the child from subsidy services to adult community services.

Six months before a child's 18th birthday, if the youth is covered by an adoption subsidy agreement, the adoptive parent may request in writing that the Children's Division assess whether the child is eligible for an 18+ adoption subsidy agreement, and the Children's Division shall determine whether the needs of the child require care through a subsidy agreement beyond 18 years of age.

The bill requires the Children's Division to approve an adoption subsidy for a permanently disabled adopted person who is 21 years of age or older if the adoptive parent has been appointed guardianship of a person by a court within the state. This adoption subsidy does not require renewal, provided that the court and at least one physician asserts the permanence of the person's disability.

Six months before the person's 21st birthday, the adoptive parent may request in writing that the Children's Division assess whether the person is eligible for an extended adoption subsidy agreement, and the Children's Division shall determine whether the needs of

the person require care through a subsidy agreement beyond 21 years of age.

The subsidy rate under the extended subsidy shall be the amount an adoptive parent or parents may receive through the 18+ adoption subsidy, including any cost-of-living adjustments.

The bill requires the adoptive parent or parents to be residents of the state in order to be eligible.

The adoptive parent may request that the existing subsidies under the provisions of this bill be re-written, and subsidies shall be adjusted to include a one-time payment that is equivalent to the current youth with elevated needs-level B rate, minus any subsidy received for the child retroactive to the original placement within the home.