Department of Health & Human Services
DHHS
NEBRASKA

Nebraska Department of Health and Human Services

INSTRUCTIONAL LETTER FOR NONRECURRING ADOPTION EXPENSE REIMBURSEMENT

Non Reoccurring Adoption Subsidy

The Nebraska Department of Health and Human Services is notifying all individuals who adopted special needs children of the availability of a non reoccurring (one time only) adoption subsidy payment up to $1,500 ($2,000 for children who are eligible for Federal Guardianship Assistance Program, GAP).

Background

In 1990, the Nebraska Legislature passed a revision to Nebraska State Law, Section 43-117 authorizing the Department of Health and Human Services to develop a policy to issue payment of a non-reoccurring subsidy. This was mandated by federal law as a result of amended tax laws and changes to Title IV-E of the Social Security Act. The program became effective September 1, 1990.

Requirements

This subsidy is determined by the adoptive child's special needs, not the adoptive parents' financial circumstances. The requirements are indicated on the Form PS-560 "Determination of Child's Eligibility.

Other Conditions

1. The child need not be adopted through an adoption agency to qualify.
2. Adoption by a stepparent is not eligible when there is a biological parent in the home.
3. The adoption must not violate any Nebraska state laws.
4. If a child who is eligible for subsidy is placed across state lines, the originating state is responsible for the non-reoccurring expenses if that state has signed an agreement with the adoptive parents for ongoing subsidy. If there is no agreement for ongoing subsidy, the state into which the child is placed (the resident state of the adoptive parents) is responsible for the reimbursement of non-reoccurring subsidy.
5. If required by state law, there must be an Interstate Compact on the Placement of Children (ICPC) in place between the two states in order for the subsidy to be approved.
6. A child need not qualify as a special needs child under Title IV E or SSI to be eligible for non reoccurring subsidy.
7. Each child in a sibling group is to be treated as an individual. The $1,500 maximum payment is available for each child that qualifies.

Reimbursement Expenses

Reimbursement may be made for the following expenses:

- Reasonable and necessary adoption fees
- Court costs
- Fees for the adoption home study. This fee is reimbursable only if the adoptive family is billed by the agency and ultimately liable for payment. A donation to the agency is not reimbursable.
- Charges for health and/or psychological examinations of the adoptive parents and/or the adopted child.
- Charges for agency supervision before finalization (only if billed by the agency, as stated above).
- Reasonable costs for transportation, lodging and food for the child and adoptive parents when necessary to complete the placement or adoption process.

Reimbursement cannot be made for the following expenses:

- Expenses which are reimbursed from another source.
- Agency fees which are not billed, but were paid as a free-will offering or donation.
- The cost of counseling for the adoptive family.
- The one time cost of remodeling the adoptive parents' home to accommodate the child.
- The expense for ongoing medical coverage.

Application Process

Forms are available on the DHHS Website:

- PS-560 "Determination of Child's Eligibility
- PS-561 "Agreement for Subsidy"
- PS-562 "Request for Reimbursement"

Adoptive parents should complete, sign and submit PS-560 ”Determination," and PS-561 “Agreement,” along with appropriate documentation as indicated on the forms, to the adoption specialist, for HHS approval.

The adoption specialist will review Form PS 560 and make a determination of eligibility. The adoption specialist may approve, deny, or request more information. The forms will be returned and adoptive parents will be notified of the eligibility determination.

The documents which must be submitted along with the forms are:

1. The documents that verify the child's special needs to qualify for subsidy.

   Report from a qualified professional giving diagnosis, severity of condition, present and future care and treatment required or likely to be required; or documentation of SSI eligibility.

2. Documentation or explanation of reasonable efforts to place the child without subsidy.

3. Documents which make the child free for adoption such as: Court Order terminating parental rights; Relinquishment by parent; Death Certificate (certified copies are not required).

4. Home study approving the adoptive parents completed by a licensed Child Placing Agency licensed for adoption. The home study must include the results of background checks.

If the child is determined eligible, the adoption specialist will sign Form PS-560 and PS-561 as approved and return them to the adoptive parents. **Both PS-560 and PS-561 must be signed as approved by the Department prior to the finalization of the adoption in order for the subsidy to be approved and the expenses paid**.

Form PS 562 (Request for Reimbursement) along with all receipts must be submitted to the adoption specialist within two years after the adoption finalization date. The adoption specialist will review these and submit them for payment. The Social Security number of one of the adoptive parents must be listed on this form. (All the forms may be submitted together when the initial determination is made.)

The Department of Health and Human Services makes only one payment to the adoptive parents. The reimbursement will be only for actual expenses paid up to $1,500 per child (or $2,000 for children who qualify for Federal Guardianship Assistance Program (GAP). The agreement is considered completed after the payment is made. The Department of Health and Human Services will not pay the adoptive parents for any bills submitted more than two years after the adoption finalization date.

You may request forms, make inquiries or submit forms, to:

The Adoption Specialist
Division of Children and Family Services
Nebraska Department of Health and Human Services
P.O. Box 95026, Lincoln, NE 68509-5026
(402) 471-9331