




**SPECIAL TRANSMITTAL**

**SUBJECT:** Family First Prevention Services Act of 2018 (Public Law 115-123)  
Adoption Assistance Program, Delay of the Aid to Families with  
Dependent Children (AFDC) Delink for Applicable Child

**TO:** County Children and Youth Social Service Agencies  
Private Adoption Agencies

**FROM:** Jonathan Rubin   
Deputy Secretary for Children, Youth and Families

**DATE:** March 2, 2020

**PURPOSE**

The purpose of this transmittal is to formally advise County Children and Youth Agencies (CCYAs) and private adoption agencies of the enactment of federal legislation in 2018 that impacts the adoption assistance program. Information contained in this communication has been shared with CCYAs and providers during various meetings, trainings and presentations previously.

**BACKGROUND**

The Fostering Connections to Success and Increasing Adoptions Act of 2008 (Fostering Connections) (Public Law (P.L.) 110-351) made changes to the Title IV-E adoption assistance program in section 473 of the Social Security Act by delinking, over time, the eligibility for the Title IV-E adoption assistance program from AFDC requirements. The law phased-in, using age criteria, “applicable child” eligibility criteria beginning in Federal Fiscal Year (FFY) 2010 and phased-out AFDC-related eligibility criteria as of FFY 2018. The law also introduced in FFY 2010 “applicable child” eligibility criteria by virtue of time in foster care and being a sibling of an “applicable child”. The “applicable child” criteria are found in section 473(a)(2)(C)(ii) of the Act. The Children’s Bureau (CB) provides guidance regarding the “applicable child” criteria in ACYF-CB-PI-08-05, ACYF-CB-PI-09-10 and ACYF-CB-PI-10-11. Additional information can be found in the OCYF Special Transmittal titled “Fostering Connections to Success and Increasing Adoptions Act of 2008 – Adoption Program Requirements”, released December 30, 2009.

**DISCUSSION**

Please note the Family First Prevention Services Act of 2018 (Family First) (P.L. 115-123) has numerous provisions with varying effective dates. A few of the law's requirements became effective before or on January 1, 2018, which was prior to the law being signed into effect on February 9, 2018. Additional mandates have since come into effect after the passage of the law. This special transmittal specifically focuses on the immediate implementation of changes to the adoption assistance program.

**Delay of the AFDC Delink for Applicable Child:**

As of October 1, 2017, all children were considered an “applicable child” when determining eligibility for the Title IV-E adoption assistance program, assuming they met “special needs” criteria. Family First revised the eligibility rules as stated in Fostering Connections to delay phasing in the full “applicable child” requirements based on the age of the child.

CCYAs may only apply the “applicable child” age requirements to children who will reach at least age two by the end of the FFY their adoption assistance agreement was entered into from January 1, 2018 until June 30, 2024. For this period, CCYAs must determine if a child meets another Title IV-E adoption assistance eligibility “applicable child” pathway:

- Meets medical and disability requirements (not the needs-based requirement) for Supplemental Security Income (SSI);
- Is the child of a minor parent in foster care pursuant to a Contrary To the Welfare/Best Interest (CTW/BI) finding or a Voluntary Placement Agreement; or
- Was eligible for Title IV-E as an “applicable child” in a previous adoption.

A child may also be considered an “applicable child” by virtue of time in foster care under the CCYA’s care and responsibility for 60 consecutive months or being a sibling of an “applicable child, if the child will not reach age two by the end of the FFY the adoption assistance agreement is entered into.

Furthermore, a child may be eligible for federal adoption assistance by meeting one of the other four eligibility non-applicable pathways:

- Meets AFDC criteria;
- Is eligible for SSI (medical, disability and needs-based requirements);
- Is the child of a minor parent in foster care who is Title IV-E eligible; or
- Was eligible for Title IV-E as a “non-applicable child” in a previous adoption.

Adoption assistance agreements entered into prior to January 1, 2018 are not affected by the Family First change.

The table on the following page incorporates the change made in Family First and demonstrates the phased-in approach to delink the Title IV-E adoption assistance program from AFDC based on the child’s age by the end of the FFY their adoption assistance agreement was entered into.

Federal Fiscal Year	Applicable Age of Child
2010 (10/1/09 – 9/30/10)	16
2011 (10/1/10 – 9/30/11)	14
2012 (10/1/11 – 9/30/12)	12
2013 (10/1/12 – 9/30/13)	10
2014 (10/1/13 – 9/30/14)	8
2015 (10/1/14 – 9/30/15)	6
2016 (10/1/15 – 9/30/16)	4
2017 (10/1/16 – 9/30/17)	2
2018 (10/1/17 – 12/31/17)	Any Age
2018 - 2024 (1/1/18 - 6/30/24)	2 (Delay of AFDC Delink due to Family First)
2024 (7/1/24 - or thereafter)	Any Age

For adoption assistance agreements entered into between January 1, 2018 and February 9, 2018, the CCYAs may claim Title IV-E allowable costs for children who were determined eligible for adoption assistance as an “applicable child” at the time that the agreements were entered into but lost their eligibility as a result of the change made by Family First. These are children who were eligible under the “applicable child” eligibility requirements in effect before Family First was passed, but who did not reach the age of two by the end of FFY 2018. To continue claiming adoption assistance subsidy payments beyond February 9, 2018, the child must be eligible through one of the other eligibility “applicable child” pathways, as the sibling of an “applicable child”, or by meeting one of the eligibility “non-applicable child” pathways. Title IV-E administrative costs may be claimed for the full month during which the child was eligible.

CCYAs are encouraged to continue to contact OCYF to discuss new adoptions for children under the age of two and for any questions related to adoption assistance eligibility determinations. Please use the following resource account:

[ra-ocyf@pa.gov](mailto:ra-ocyf@pa.gov)

Attached is an updated CY-61A form with the new age chart and the OCYF Special Transmittal titled “Fostering Connections to Success and Increasing Adoptions Act of 2008 – Adoption Program Requirements”, released December 30, 2009.

Attachments

County:
CCYA Case #:

## CY-61 A: DETERMINATION OF ELIGIBILITY FOR ADOPTION ASSISTANCE

### I. IDENTIFYING INFORMATION (PLEASE PRINT)

1a. Child's Birth Name (Last, First, MI):	2. DOB:	3. SSN:	4. Pre-Adoption MCI #:
1b. Child's Adoptive Name (Last, First, MI):			
5. Adoptive Parent(s) Name, Address & Phone Number:			
6. Was the child previously receiving federal or state SPLC payments?		<input type="checkbox"/> YES <input type="checkbox"/> NO	
6a. Date the federal or state SPLC was dissolved: ____ / ____ / ____		<i>If yes, when determining whether the child meets AA eligibility criteria listed on this form, the placement of the child with the custodian and any federal state payments made on behalf of the child shall be considered never to have been made.</i>	
6b. If yes, note whether federal or state: _____			

### II. ADOPTION ASSISTANCE ELIGIBILITY

#### Part A. ELIGIBILITY FOR TITLE IV-E NON-RECURRING EXPENSES

A1. Is the child under the age of 21 and in the placement care and responsibility of CCYA or a private agency licensed by PA DHS?  <i>In independent private adoptions, the following children may be eligible for AA (Select yes for the following exceptions):</i> <ul style="list-style-type: none"> <li>• A federal or state SPLC child meeting AA criteria;</li> <li>• A child received Title IV-E AA in a previous adoption; or</li> <li>• A child determined eligible for SSI by the SSA.</li> </ul>	<input type="checkbox"/> YES <input type="checkbox"/> NO	If yes, continue to question A2. If no, child is ineligible. Skip to Section III, question 5.
A2. Is the child a citizen or qualified non-citizen?	<input type="checkbox"/> YES <input type="checkbox"/> NO	If yes, continue to question A3. If no, child is ineligible. Skip to Section III, question 5.
A3. Does the child meet the special needs requirements? <i>(To meet this requirement, yes must be checked for 3a, 3b, &amp; 3c.)</i>	<input type="checkbox"/> YES <input type="checkbox"/> NO	If yes, continue to question A4. If no, child is ineligible. Skip to Section III, question 5.
3a. Child is legally free for adoption?	<input type="checkbox"/> YES <input type="checkbox"/> NO	If 3b. is yes, check all that apply: <input type="checkbox"/> Physical, mental/emotional condition or handicap <input type="checkbox"/> Pathogenic exposure <input type="checkbox"/> Member of sibling group placed together <input type="checkbox"/> Genetic condition <input type="checkbox"/> Five years of age or older <input type="checkbox"/> Member of minority group
3b. Child has a special needs characteristic? <i>(If yes, at least one box must be checked in 3rd column.)</i>	<input type="checkbox"/> YES <input type="checkbox"/> NO	
3c. Reasonable efforts were made to place the child without AA? <i>(Check "Yes" when this requirement was unnecessary due to the child's significant emotional ties with the prospective adoptive parent(s) or adoption by relative.)</i>	<input type="checkbox"/> YES <input type="checkbox"/> NO	
A4. The adoptive parent(s) and household members 18 years of age and older have not been convicted of one or more of the offenses under Title 18 (relating to crimes and offenses) or an equivalent crime under federal law or the law of another state or a felony conviction within the past 5 years for physical assault, battery, or a drug-related offense <u>and</u> have an approved home study?	<input type="checkbox"/> YES <input type="checkbox"/> NO	If yes, child is eligible, proceed to A5. If no, child is ineligible. Skip to Section III, question 5.

A5.  All criteria met in Part A. Child is eligible for Title IV-E Non-Recurring Expenses. Proceed to Part B.

#### Part B. ELIGIBILITY FOR TITLE IV-E MONTHLY SUBSIDY AND MEDICAID

**A non-applicable child must meet the special needs requirements (Part A) and one of the following: 1, 2, 3, or 4 below.**

B1. Was the child eligible for AFDC at removal?	<input type="checkbox"/> YES <input type="checkbox"/> NO	If yes, child eligible for Title IV-E monthly subsidy as a non-applicable child. Skip to B6.  If no, continue to B2.
1a. Was the child removed from the home of a specified relative?	<input type="checkbox"/> YES <input type="checkbox"/> NO	<i>To meet AFDC criteria at removal, yes must be checked for 1a, 1b, and 1c and at least one yes must be checked for 1d or 1e.</i>  <i>There does not have to be a judicial determination that reasonable efforts were made to prevent the child's removal for the child to be eligible for Title IV-E AA.</i>
1b. Did the child reside in the home of the specified relative within six months prior to the eligibility month?	<input type="checkbox"/> YES <input type="checkbox"/> NO	
1c. Did the child meet the financial need and deprivation requirements in the eligibility month?	<input type="checkbox"/> YES <input type="checkbox"/> NO	
1d. Does the initial agency care/responsibility court order authorizing removal contain the CTW/BI language?	<input type="checkbox"/> YES <input type="checkbox"/> NO	
1e. Did the specified relative sign a VPA and at least one Title IV-E foster care payment was made on behalf of the child?	<input type="checkbox"/> YES <input type="checkbox"/> NO	
B2. Is the child eligible for SSI (medical, disability, and needs-based) prior to adoption as determined by SSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO	If yes, child eligible for Title IV-E monthly subsidy as a non-applicable child. Skip to B6.  If no, continue to B3.
B3. Is the child's minor parent Title IV-E eligible in foster care pursuant to a CTW/BI finding or VPA?	<input type="checkbox"/> YES <input type="checkbox"/> NO	If yes, child eligible for Title IV-E monthly subsidy as a non-applicable child. Skip to B6.  If no, continue to B4.
B4. Child was eligible for Title IV-E as a non-applicable child in a previous adoption? <i>(If yes, the child is to be treated as if the adoption did not occur; the child's circumstances are the same as those prior to the previous adoption. The child would need to meet only the special needs requirements [Part A] in the subsequent adoption.)</i>	<input type="checkbox"/> YES <input type="checkbox"/> NO	If yes, child eligible for Title IV-E monthly subsidy as a non-applicable child. Skip to B6.  If no, assess if the child meets the applicable child eligibility requirements, continue to B5.

**An applicable child must meet the special needs requirements (Part A) and 5a or 5b or 5c and at least one of 5d through 5f effective 10/1/09.**

5a. The child attained the applicable age any time before the end of the federal fiscal year in which the adoption agreement was entered into?

YES  NO

If yes, continue to B6.  
If no, skip to Part C.  
*An applicable child removed by voluntary removals does not require Title IV-E payment under a VPA nor does there have to be CTW language.*

FEDERAL FISCAL YEAR	APPLICABLE AGE OF CHILD
2010 (10/1/09 – 9/30/10)	16
2011 (10/1/10 – 9/30/11)	14
2012 (10/1/11 – 9/30/12)	12
2013 (10/1/12 – 9/30/13)	10
2014 (10/1/13 – 9/30/14)	8
2015 (10/1/14 – 9/30/15)	6
2016 (10/1/15 – 9/30/16)	4
2017 (10/1/16 – 9/30/17)	2
2018 (10/1/17-12/31/17)	Any age
2018-2024 (1/1/18-6/30/24)	2 AFDC Delink delay due to Family First
2024 (7/1/24 and thereafter)	Any age

5b. Has the child been in foster care under the placement care and responsibility of a CCYA for 60 consecutive months?

YES  NO

5c. Is the child a sibling of an applicable child by virtue of age as described by 5a. or time in foster care as described by 5b. and placed into the same adoption arrangement as said sibling?

YES  NO

5d. Was the child removed from the home as a result of a CTW/BI finding or a VPA or a voluntary relinquishment at the initiation of the adoption proceedings?

YES  NO

5e. Is the child's minor parent in foster care pursuant to a CTW/BI finding or VPA?

YES  NO

5f. Did the child meet all medical and disability requirements (not the needs-based requirement) for SSI prior to the finalization of the adoption as determined by SSA?

YES  NO

5g. Child was eligible for Title IV-E AA as an applicable child in a previous adoption?

YES  NO

B6.  Child is eligible for Title IV-E monthly subsidy and Medicaid. Proceed to Section III, Question 2.

**Part C. ELIGIBILITY FOR STATE MONTHLY SUBSIDY AND MA**

C1. Is the child in the legal custody of the CCYA or a licensed private agency approved by DHS?

YES  NO

If yes, continue to question C2.  
If no, child is ineligible. Skip to Section III, question 1.

C2. Did the child reside in foster care for at least six months?

YES  NO

If yes, continue to question C3.  
If no, child is ineligible. Skip to Section III, question 1.

C3.  Child is eligible for state monthly subsidy and MA. Proceed to Section III, Question 3 for an in-state adoption or proceed to Part D for an out-of-state adoption of a PA child.

**Part D. PA CHILD PLACED FOR ADOPTION OUT-OF-STATE**

D1. According to the child's record, the child cannot be placed for adoption out-of-state without MA due to special needs or medical or rehabilitative care?

YES  NO

If yes, continue to question D2.  
If no, skip to Section III, question 4.

D2.  Documentation requirement fulfilled. Proceed to Section III, Question 3.

**III. CCYA DETERMINATION OF ELIGIBILITY FOR ADOPTION ASSISTANCE**

- 1.  Child is eligible for Title IV-E non-recurring expenses only.
- 2.  Child is eligible for Title IV-E Medicaid and Title IV-E non-recurring expenses.      2a.  Child is eligible due to the applicable child criteria **ONLY**.
- 3.  Child is eligible for state AA, state MA, and Title IV-E non-recurring expenses or fulfills documentation requirement for state MA outside of PA.
- 4.  Child is eligible for state AA, state MA, and Title IV-E non-recurring expenses. Child MAY NOT be eligible for state MA outside of PA.
- 5.  Child is ineligible for Title IV-E non-recurring expenses, Title IV-E AA, state AA, and medical coverage.
- 6. Effective date of the adoption assistance agreement: \_\_\_\_\_      7. Child's age when agreement was executed: \_\_\_\_\_      8. Adoption finalization date: \_\_\_\_\_

<b>NAME: (Please Print)</b>	<b>SIGNATURE:</b>	<b>DATE:</b>	<b>PHONE:</b>

CCYA forwards to CAO. If adoptive parents request the child's name to change on Medicaid/MA Card, check here and attach adoption decree.

**IV. CAO CERTIFICATION FOR MEDICAID OR MA**

I certify that the adoptive child is eligible for Medicaid OR MA under program status code: \_\_\_\_\_  
The child has been assigned a new MCI #: \_\_\_\_\_  
 I have issued a new Access card for the child directly to the adoptive parent(s) at the above address.  
 MCO correction form is completed for those adoptive parent(s) selecting to retain child's current MCO coverage.

<b>NAME: (Please Print)</b>	<b>SIGNATURE:</b>	<b>DATE:</b>	<b>PHONE:</b>

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF PUBLIC WELFARE

DEC 30 2009

**SPECIAL TRANSMITTAL**

**SUBJECT:** Fostering Connections to Success and Increasing Adoptions Act of 2008 - Adoption Program Requirements

**TO:** County Children and Youth Administrators  
Private Adoption Agencies

**FROM:** Richard J. Gold  
Deputy Secretary for Children, Youth and Families



**PURPOSE**

The purpose of this transmittal is to inform County Children and Youth Agencies (CCYAs) and private adoption agencies of the new federal requirements that specifically impact the adoption program as a result of the passage of the Fostering Connections to Success and Increasing Adoptions Act of 2008 (Fostering Connections). Some of these requirements were introduced in a previous special transmittal released by the Office of Children, Youth and Families (OCYF) on February 24, 2009. However, this transmittal focuses solely on the provisions that directly affect adoption as well as provides model forms that may be used by agencies to implement the new requisites.

**BACKGROUND**

On October 7, 2008, former and then President George W. Bush signed the Fostering Connections to Success and Increasing Adoptions Act (Public Law 110-351)—the first comprehensive reform of federal child welfare financing in 28 years. This new legislation has built upon the Adoption and Safe Families Act to create additional support for good child welfare practices that help children and families achieve safety, permanency and stability in their lives. Included in Fostering Connections are provisions designed to increase federal funding for adoption assistance as well as new requirements that focus on the health and education status of children.

**DISCUSSION**

The Fostering Connections legislation authorizes states to claim federal funds for more children with special needs. In the first year, starting October 1, 2009, OCYF and CCYAs must begin phasing in an expansion of the Title IV-E Adoption Assistance Program to reach more eligible children with special needs. This expansion will begin with older children and with children who already have been in care for five years, and their siblings. These

populations of children are often the most difficult to place for adoption. Additional children will be phased in by age over the next eight years until all eligible children with special needs will be covered by October 1, 2017.

Apart from the new eligibility criteria, Fostering Connections establishes two new requirements for receipt of federal adoption assistance funding. The first mandates agencies to inform prospective adoptive parents of the availability of the adoption tax credit. The Federal Adoption Tax Credit was developed to help families defray adoption costs and to promote the adoption of foster care children. A Child Trends research brief published in 2007, however, showed vast underutilization of this benefit by families adopting children from foster care (only 18% of the children for whom the tax credit was claimed were adopted from foster care).

The second requirement directs OCYF and CCYAs to assure that each child, of compulsory school age, receiving Title IV-E Adoption Assistance is a full-time elementary or secondary school student, or is incapable of attending school due to a documented medical condition. According to this legislation, these two new mandates were to be implemented starting October 7, 2008.

Pennsylvania's Child Welfare Regulations Title 55, Pa. Code §3140, Subchapter C, regarding adoption assistance do not currently contain the new requirements outlined in this transmittal. OCYF will be working on updating these regulations to reflect the current requisites.

## **PROCEDURES**

### **School Attendance Assurance:**

- *Effective Date* – October 7, 2008 (As noted in the Special Transmittal released on February 24, 2009, due to this requirement being new for CCYAs, no licensing action will be taken for failure to implement this mandate prior to April 25, 2009.)
- *Requirement* – Assurances must be made that each child, of compulsory school age, who is receiving Title IV-E Adoption Assistance payments is a full-time student or is incapable of attending school due to a documented medical condition.
- *Instruction* – A question regarding attendance must be included in the CCYAs annual contact with the adoptive families receiving subsidy for a child of compulsory school age. Please see Attachment A for a model annual contact form that includes this information.

After the release of the February 24, 2009, Special Transmittal, the Administration for Children and Families provided the following guidance as to whether this requirement will have an impact on the child's eligibility



for Title IV-E Adoption Assistance. The Federal Child Welfare Policy Manual section 8.4 question 2 states that a child's eligibility for adoption assistance will not be impacted if the adoptive family: 1) Does not complete the annual contact form; or 2) Does not respond to the specific question regarding school attendance; or 3) Responds that the child is not attending school in accordance with sections 471(a)(30)(A) through (D) of the Social Security Act. Therefore, to meet this requirement in accordance with Federal and Pennsylvania policy, CCYAs must simply maintain a copy of the annual contact sent to the adoptive family requesting school attendance information in the child's file.

#### Federal Adoption Tax Credit

- *Effective Date* – October 7, 2008 (As noted in the Special Transmittal released on February 24, 2009, due to this requirement being new for CCYAs, no licensing action will be taken for failure to implement this mandate prior to April 25, 2009.)
- *Requirement* – Agencies must inform prospective adoptive parents of the federal adoption tax credit.
- *Instruction* – Notification of the federal adoption tax credit must be provided to all prospective adoptive parents, not just those that receive adoption assistance. Agencies must ensure that prospective adoptive parents are provided with information about their potential eligibility to claim the tax credit. Agencies must also maintain documentation in the child's file that this information was supplied. Please see Attachment B for a model information sheet that can be given to prospective adoptive parents to meet this requirement.

#### Promotion of Adoption of Children with Special Needs

- *Effective Date* – October 1, 2009 with certain criteria phased in through October 1, 2017
- *Requirement* – Agencies must begin to use the new Title IV-E Adoption Assistance eligibility criteria as outlined in the instruction section below.
- *Instruction* - Beginning October 1, 2009, a child with special needs who is "an applicable child" is eligible for Title IV-E monthly adoption assistance. The term "applicable child" primarily relates to the age of the child in the federal fiscal year the adoption assistance agreement is entered into. For Federal Fiscal Year (FFY) 2010 (which covers October 1, 2009, through September 30, 2010) children who meet the following new criteria are eligible for Title IV-E Adoption Assistance:
  - Meet the following three special needs criteria:
    1. Be free for adoption by means of termination of parental rights, parental death or a combination of the two;

**And**

2. Have at least one of the following special needs characteristics:
- Be five years of age or older; or
  - Have a physical, mental or emotional condition or disability; or
  - Have a genetic condition indicating a high risk of developing a disease or disability; or
  - Be a member of a minority group; or
  - Be a member of a sibling group placed together in the same adoptive home.

**And**

3. Reasonable, but unsuccessful, efforts made to place the child with adoptive parents without providing adoption assistance.

**And**

- Be in the care of a public or licensed private agency;

**And**

- Be involuntarily removed from their home pursuant to a judicial determination that continuation in the home would be contrary to the welfare of the child;

**Or**

- Be removed pursuant to a voluntary placement agreement or voluntary relinquishment;

**And**

- Be a citizen or qualified alien of the United States (children who have special needs but who are not citizens or residents of the U.S. and were either adopted in another country or brought to this country for the purposes of adoption are categorically ineligible for adoption assistance, except if the child meets the eligibility criteria after the disruption of the international adoption);

**And**

- **Have met all the criteria for one of the three options below.**

**OPTION 1**

- Have attained the age of 16 or older prior to September 30, 2010;

**And**

- An adoption assistance agreement must have been entered into during federal fiscal year 2010.

Example of an "applicable child" based on age: The CCYA enters into an adoption assistance agreement on behalf of a 15-year-old child on October 15, 2009. The child will turn 16 years old on January 3, 2010. Because the child turns 16 in FFY 2010, the applicable age during that fiscal year, the "applicable child" eligibility requirements apply.

Example of a child that does not meet the definition of “applicable child” based on age: The CCYA enters into an adoption assistance agreement on behalf of a child who turns 15 on October 5, 2009. This child would not reach the applicable age of 16, before the end of FFY 2010 and would not be eligible as an “applicable child”. The child might be eligible for Title IV-E Adoption Assistance based on other criteria described below.

### OPTION 2

- Have been in foster care under the responsibility of a CCYA for at least 60 consecutive months. The 60-consecutive-month period is any 60 consecutive months prior to the finalization of the adoption.

### OPTION 3

- Is a sibling of a child who is “an applicable child” (by either meeting the age requirement of 16 or older prior to September 30, 2010, or by having been in foster care for at least 60 consecutive months);

**And**

- Is placed in the same adoptive placement as their sibling who meets the definition of “applicable child”.

It is important to note that the applicable age described in OPTION 1 (age 16 for FFY 2010) will decrease by two years every fiscal year until 2018. The following chart provides a breakout for the minimum applicable ages and corresponding federal fiscal years in which they become effective:

<b>“In the case of federal fiscal year:</b>	<b>The applicable age of the child is:</b>
2010 (10/1/09 – 9/30/10)	16
2011 (10/1/10 – 9/30/11)	14
2012 (10/1/11 – 9/30/12)	12
2013 (10/1/12 – 9/30/13)	10
2014 (10/1/13 – 9/30/14)	8
2015 (10/1/14 – 9/30/15)	6
2016 (10/1/15 – 9/30/16)	4
2017 (10/1/16 – 9/30/17)	2
2018 (10/1/17) or thereafter	Any age

If a child does not meet the "applicable child" criteria enumerated above, the child must meet the criteria outlined below to be eligible for Title IV-E monthly adoption assistance:

- Must meet the three special needs eligibility criteria enumerated earlier in this section;

**And**

- **Meet the criteria of at least one of the following four options:**

1. Be AFDC eligible at the time of their removal from the home of the specified relative from whom they were removed pursuant to a voluntary placement agreement or judicial determination to the effect that continuation in the removal home is contrary to the child's welfare;

**Or**

2. Child meets all medical and disability requirements of SSI at the time the adoption petition is filed;

**Or**

3. The child is in a foster family home or child care institution with their minor parent and the minor parent was removed from the home pursuant to either:

- a. An involuntary removal in accordance with a judicial determination to the effect that it was contrary to the child's welfare to remain in the home; or
- b. A voluntary placement agreement or voluntary relinquishment.

**Or**

4. The child was adopted and was determined eligible for Title IV-E Adoption Assistance in a prior adoption, and is available for adoption because the prior adoption has been dissolved or the child's adoptive parents have died.

In determining the child's eligibility for Title IV-E Adoption Assistance of a child receiving federally Subsidized Permanent Legal Custodianship (SPLC) payments, the placement of the child with the relative custodian and any SPLC payments made on behalf of the child shall be considered never to have been made. Thus, if a child is later adopted, the CCYA would apply the adoption assistance criteria for the child as if the permanent legal custodianship had never occurred. This applies where the permanent legal custodianship is dissolved and the child is later placed for adoption with the relative custodian or another individual.

Attachment C is a revised CY-61A that reflects the new Title IV-E Adoption Assistance criteria.

Any questions regarding this transmittal should be directed to Ms. Julie Mochon at 717-772-1585.