

Adoption Assistance

Helping Adoptive Families With Special-needs Children

Texas Department of
Protective And Regulatory
Services

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The assistance and services of the Texas Department of Protective and Regulatory Services are available to anyone without regard to age, race, marital status, color, religion, sex, handicap, national origin, or political belief. If you feel that you have been discriminated against, you may complain to the PRS Civil Rights Department.

For more information, contact the Texas Department of Protective and Regulatory Services.

Helping children with special needs

Adoption assistance is financial or medical assistance given to the adoptive families of certain special-needs children to offset some of the costs of legally adopting and supporting them. A special-needs child is a child whose age, race, sibling status, or handicap makes it likely that the adoptive parents will need special help to adopt the child.

The child must meet one of the following criteria at the time of adoptive placement:

- Be at least 6 years old;
- Be at least 2 years old and a member of a racial or ethnic minority;
- Have a verifiable, professionally diagnosed physical, mental, or emotional disability;
- Belong to a sibling group placed with the same family.

What kind of help is available?

There are several kinds of adoption assistance, including adoption subsidies and nonrecurring adoption expenses.

An adoption subsidy is a monthly program of financial or medical assistance to help the family pay for special services the adopted child need. The subsidy may cover therapy, counseling, extraordinary corrective dental treatment, or medical care and supplies. In some cases, such as the adoption of a sibling group, a subsidy may help with the costs of the children's food, clothing, shelter, and childcare needs.

The amount of help is based on the child's needs and the resources available to the family for meeting those needs. If you apply for adoption assistance, you will need to document the child's special needs expenses and your family's ability to meet some of those expenses. If the child later needs care outside your home, you will have to document that you continue to support the child.

If granted, an adoption subsidy is available until the child's birthday, but it must be renewed periodically. The child's eligibility ends automatically when:

- The child reaches the age of 18
- The child marries or is otherwise emancipated (declared an adult by a court of law)
- The child leaves home, and the family is no longer the child's major source of support
- The placement or adoption is terminated.

Children who receive subsidies funded by title 4E are automatically entitled to Title 19 Medicaid and Title 20 social services.

The nonrecurring adoption expense program provides a onetime payment to reimburse the family for some of the costs of legally adopting a special-needs child. If an attempt was made to place the child without adoption assistance, the family's expenses may be covered up to \$1500.00 per special-needs child. To be eligible, you must have legally completed the adoption on or after January 1, 1987. Or, if the adoption was completed before January 1, 1987, you must have paid for expenses after that date. If the adoption is completed after June 13, 1989, you must sign a written agreement with the Texas Department of Protective and Regulatory Services (PRS) before the adoption is official to qualify for reimbursement.

Adoptions by stepparents and inter-country adoptions are not covered. If a child is adopted in Texas but is covered by another state's subsidy agreement, that state is responsible for reimbursing the family's expenses.

Keep records of your expenses

The nonrecurring adoption expense program covers only one-time expenses. If you are adopting a special-needs child, keep receipts during the adoption process for the money you spend on:

- Court costs,
- Attorneys fees,
- Child placing agency fees,
- Medical and psychological examinations related to the adoption study, and
- Out-of-town transportation, lodging, and food for visits between parent and child during the preplacement period, or out-of-town travel necessary to complete the adoption.

You may have receipts for the expenses you want reimbursed. If you have already received a refund for your expenses or if you are eligible for reimbursement from another source, you will not receive additional reimbursement.

When and how to apply

To receive an adoption subsidy or reimbursement for nonrecurring adoption expenses, you must apply for it and enter into a written agreement before the court orders the adoption.

When you receive background information about a child you are considering adopting, you will be given information about the child's eligibility for adoption assistance. PRS staff recommends that you submit an application immediately upon placement of the child in your home, if not before. Application forms are available from PRS and many private child-placing agencies.

Once your completed application is forwarded to PRS, you will be notified within 15 working days if you will be reimbursed or receive a subsidy. If PRS denies, delays, or reduces your claim, you will request a hearing from PRS within 90 days of the effective date of the decision. The hearing is a relaxed review and discussion of your disagreement; it is not like a court. A hearing officer who is not involved with your case will listen to your complaint, explain the rules, answer your questions, and see to it that you are treated fairly.