REIMBURSEMENT ELIGIBILITY | DEFINITION OF NONRECURRING EXPENSES | EXAMPLES OF NONRECURRING EXPENSES | REQUIRED DOCUMENTATION | VERIFICATION OF EXPENSES | DENIAL OF REIMBURSEMENT OF | DUTY TO INFORM | SIBLING PLACEMENTS | OUT-OF-COUNTY PLACEMENTS | OUT-OF-STATE PLACEMENTS | HYPERLINKS | OTHER SOURCES | ONLINE FORMS | HARD COPY FORMS | CWS/CMS FORMS | BROCHURES | REQUIRED ACTIONS

ORANGE COUNTY SOCIAL SERVICES AGENCY
CFS OPERATIONS MANUAL

Effective Date: October 21, 1990 **Number: C-0502**
Revised: March 7, 2008

Reimbursement of Nonrecurring Adoption Expenses

OCSSA

Purpose

To provide guidelines for the reimbursement of qualifying nonrecurring expenses to adoptive parents of special needs children.

Approved

This policy was approved by Mike Ryan, Director of CFS, on March 7, 2008. *Signature on file*.

Background

This policy supercedes the previous version, “Adoption Expense: Non-Recurring,” published on October 21, 1990.

Prior to January 1, 1987, adoptive parents were permitted to deduct nonrecurring adoption expenses related to the adoption of special needs children through Federal income tax deduction. The Tax Reform Act of 1986 eliminated that deduction and mandated that states provide direct reimbursement (with 50% Federal sharing). Legislation to establish this system in California was passed effective January 1, 1990 and adoptive parents of children with special needs became eligible for reimbursement of nonrecurring adoption expenses up to $400.

Legal and Regulatory Mandates

Welfare and Institutions Code section 16119(a) describes Children and Family Services' (CFS) responsibility to provide the prospective adoptive family with information, in writing, on the availability of reimbursement for the nonrecurring expenses incurred in the adoption of an Adoption Assistance Program (AAP) eligible child.

Welfare and Institutions Code section 16120.1 describes the conditions required for reimbursement of nonrecurring expenses.

Community Care Regulations (CCR), Title 22, Adoptions User Manual, Section 35000(n)(2) defines nonrecurring adoption expenses.

CCR, Title 22, Adoption User Manual, Sections 35352–35352.3 describes notification, documentation, and eligibility requirements, for authorization and reimbursement of nonrecurring adoption expenses.

Social Security Act Section 473(c) defines the term “child with special needs.”

POLICY

Reimbursement Eligibility	An adopting parent of any AAP eligible child can receive reimbursement of reasonable nonrecurring expenses incurred as the result of the adoption. The maximum reimbursement amount is $400 per AAP eligible child. In order to be eligible for reimbursement, adoptive parents must sign an agreement with the Orange County Social Services Agency (SSA) prior to finalization of the adoption. After the adoption has been finalized, the adoptive parent may file a claim for reimbursement.
Definition of Nonrecurring Expenses	Reasonable and necessary adoption fees, court costs, attorney fees, and other expenses which are: • Directly related to the legal adoption of a child with special needs • Not incurred in violation of state or Federal law • Not reimbursed from other sources or funds
Examples of Nonrecurring Expenses	Other expenses incurred which are appropriate for reimbursement, in addition to adoption fees, court costs, and attorney fees, include: • Adoption study, including health and psychological exams • Supervision of the placement prior to adoption • Transportation and the reasonable costs of lodging and food for the child and/or the adoptive parents when necessary to complete the placement or adoption process
Required Documentation	In order for a claim to be eligible for reimbursement, the following must be documented in the case file: • Adoption took place in compliance with applicable state and local laws • Child is an AAP-eligible child • Placement meets all search requirements • Expenses claimed meet the definition of nonrecurring adoption expenses as defined in Community Care Regulations • The adoptive parents have not received reimbursement for the claimed expenses from other sources
Verification of Expenses	Verification of nonrecurring expenses must be included in the case file. Verification includes, but is not limited to, copies of the following: • Canceled checks • Signed and dated receipts
Denial of Reimbursement of Nonrecurring Expenses	The SSW can deny the claim for reimbursement of nonrecurring expenses if verification, i.e. receipts, cancelled checks, etc., is not provided or if expenses claimed do not meet the definition of allowable nonrecurring expenses.
Duty to Inform	CFS shall provide the prospective adoptive family with information, in writing, on the availability of reimbursement for the **nonrecurring expenses** incurred in the **adoption** of the AAP eligible child.
Sibling Placements	Siblings placed for adoption, either separately or as a unit, are treated as individual placements with separate reimbursement for nonrecurring adoption expenses up to the maximum amount allowable for each child.

OCSSA

Out-of-County Placements

When there is a claim for expenses on an out-of-county placement, the county responsible for the child's AAP is responsible for reimbursement of nonrecurring adoption expenses. If the adoptive parents have elected not to receive AAP, the county that would otherwise provide the child's AAP is responsible for the reimbursement.

Out-of-State Placements

When there is a claim for expenses on an out-of-state placement, the state that entered into the agreement for adoption assistance is responsible for reimbursement of nonrecurring adoption expenses.

If there was no agreement for adoption assistance, the state which issued the final adoption decree is responsible for reimbursement. However, out-of-state placements that do not comply with the Interstate Compact on the Placement of Children (ICPC) are not eligible for reimbursement.

REFERENCES

Hyperlinks

Users accessing this document by computer may create a direct connection to the following references by clicking on them.

- CFS Policy and Procedure (P&P) Adoptions Assistance Program (AAP) (C-0501)

Other Sources

Other printed references include the following:

None.

REQUIRED FORMS

Online Forms

Required forms listed below may be printed out and completed, or completed online, and may be accessed by clicking on the link provided.

Form Name	Form Number
Nonrecurring Adoption Expenses Claim Form	F063-18-243
Reimbursement Agreement for Nonrecurring Adoption Expenses	F063-18-324

Hard Copy Forms

Forms listed below must be completed in hard copy (including multi-copy NCR forms). ***For reference purposes only,*** links are provided to view these hard copy forms, where available.

Form Name	Form Number
None.	

CWS/CMS Forms

The following required forms may **only** be obtained in CWS/CMS. ***For reference purposes only,*** links are provided to view these CWS/CMS forms, where available.

Form Name	Form Number
None.	

OCSSA

Brochures Brochures that should be distributed in conjunction with this procedure include:

Brochure Name	Brochure Number
None.	

PROCEDURE

Required Actions	The following actions must be completed to request reimbursement for nonrecurring adoption expenses:	
Staff Responsible	**Step**	**Required Action**
Applicant SSW	**1.**	Ensure that adoptive parent and Applicant SSW complete and sign *Reimbursement Agreement for Nonrecurring Expenses, F063-18-324*, prior to obtaining final decree of adoption, typically at Adoptive Placement signing.
	2.	Provide a copy of *Reimbursement Agreement for Nonrecurring Expenses, F063-18-324*, to adoptive parent and file original in case file.
	3.	Provide *Nonrecurring Adoption Expenses Claim Form, F063-18-243*, and an envelope addressed to Adoptions, P.O. Box 14229, to adoptive parent and instruct them to complete, sign and return completed form, along with verification of expenses, within two years of date of final adoption decree in order to receive reimbursement.
Adoptions Clerical Staff	**4.**	Receive *Nonrecurring Adoption Expenses Claim Form, F063-18-243,* via generic Adoptions P.O. Box.
	5.	Identify assigned AAP worker, forward *Nonrecurring Adoption Expenses Claim Form, F063-18-243.*
Applicant SSW/AAP Worker	**6.**	Obtain verification of nonrecurring adoption expenses.
	7.	File verification documents in case file (AAP Acco–yellow tab).
	8.	Record following in case file: • Expenses claimed qualify as nonrecurring adoption expenses • Adoption took place in compliance with applicable state and local laws • Child for whom adoptive costs are claimed is a child with special needs • Placement meets the search requirements of Section 35237 of California Department of Social Services (CDSS) Adoptions Manual

OCSSA

9. If approving claim, complete authorization section and second page of *Nonrecurring Adoption Expenses Claim Form, F063-18-243*. If claim is denied, notify family verbally and note denial and reason in hard case file.

10. Make two copies of *Nonrecurring Adoption Expenses Claim Form*, *F063-18-243*, send one to AAP Intake Eligibility Technician and second to adoptive parent. File original in Adoption Assistance Program Acco (yellow tab).

OCSSA