

**Date: July 22, 2013**

**Manual** – Division of Family Services Child and Family Services Manual, Chapter F - Adoption

**Transmittal # - 242**

The purpose of this transmittal is to provide new and revised guidance for what was contained Adoption Chapters C: Agency Placement and Adoption and Chapter D: Non-Agency Placement and Other Court Ordered Services of the previous Family Services Manual. The Adoption Chapter has been reformatted consistent with the DFS Child and Family Services Manual and the Virginia Children's Services Practice Model. The Adoption Chapter is now Chapter F of the DFS Child and Family Services Manual.

Unless otherwise stated, the provisions in the transmittal are effective upon posting.

In the context of the manual: if the *heading only* is italicized it is a section that has been relocated from another area of the previous manual and does not include substantive changes or updates. If the *language text* is italicized it signifies new or revised guidance.

The following sections in the previous Chapter C of the Adoption Manual:

- Section 3 - Pre-Placement Services.
- Section 4 - Placement Services.
- Section 7 - Adoption Resource Exchange of Virginia (AREVA).
- Section 10 - Adoptive Home Study.

have been moved to Section 9 in Chapter E, Foster Care, of the DFS Child and Family Services Manual. The purpose was to eliminate duplication between the two chapters and to reflect the timing of these activities when working with children.

Two sections in the previous Chapter C, Section 8 on Subsidy/Adoption Assistance and Section 9 on Appeals, have been completely rewritten consistent with federal and state law. Adoption Assistance information is now located in Section 2 of the Adoption Chapter. The guidance in Section 2 is effective **October 15, 2013**. Forms and tools for adoption assistance are posted on the public website and SPARK website.

Chapter D, Non-Agency Placement and Other Court Services from the previous Manual has been incorporated into the Adoption Chapter in this manual. Therefore, Chapter D, Non-Agency Placement and Other Court Services no longer exist as a stand-alone chapter of guidance.

The terms child placing agency (CPA), local department of social services (LDSS) and licensed child placing agency (LCPA) are used throughout the manual. The term CPA refers to both local departments of social services and private licensed child placing agencies. The term LDSS is used only when referring to the local department. The term LCPA is used only when referring to a private licensed child placing agency.

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This transmittal and manual are available on SPARK at <http://spark.dss.virginia.gov/divisions/dfs/ap/manual.cgi> and on the VDSS website at <http://www.dss.virginia.gov/family/ap/manual.cgi>

Significant changes to the manual are as follows:

<b>Section 1 Adoption Overview</b>	
<b>Section</b>	<b>Significant Changes</b>
Entire section	<p>Replaces in previous manual:</p> <ul style="list-style-type: none"> <li>○ Section 1-Purpose and Authority</li> <li>○ Section 2-Guiding Principles</li> </ul> <p>Adds “Framework” section including Practice Principles and Legal Citations (Federal Law, Code of Virginia and Virginia Administrative Code).</p> <p>Adds definitions consistent with regulation 22 VAC 40-201.10 and new guidance.</p> <p>Adds website resources related to adoption</p>
<b>Section 2 Adoption Assistance</b>	
<b>Section</b>	<b>Significant Changes</b>
Entire section	<p>New section effective <b>October 15, 2013</b>.</p> <p>Replaces in previous manual:</p> <ul style="list-style-type: none"> <li>○ Section 8 – Subsidy/Adoption Assistance</li> <li>○ Section 9- Appeals.</li> </ul> <p>Provides language based on, and provides links to:</p> <ul style="list-style-type: none"> <li>○ Federal statutes, regulations, program instructions, and child welfare policy manual.</li> <li>○ Virginia statutes and regulation.</li> </ul> <p>Changes term “subsidy” to “adoption assistance.”</p>
2.1 Introduction	<p>Describes purpose and types of adoption assistance.</p> <p>Lists steps in adoption assistance process.</p>
2.2 Framework	<p>2.2.1 Adds key practice principles</p> <p>2.2.2 Provides excerpts from federal and state law as a resource.</p> <p>2.2.3 Specifies permanency outcomes</p>
2.3 Determining LDSS responsibility for adoption assistance	<p>Specifies responsibility for adoption assistance is based on who has placement and care the child or where the adoptive parents reside.</p> <p>Clarifies when a LCPA has custody and places the child in another state, the public child welfare agency where the adoptive parents reside is responsible for adoption assistance.</p>

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<p>2.3.1 Required forms and documentation</p>	<p>Requires use of specific state forms to ensure all state and federal legal requirements are met and consistently applied statewide. If the LDSS chooses to not use the required forms, or alter them in any substantive manner without VDSS approval, the LDSS may be held responsible for any financial pay backs as a result of lost appeals or unallowable payments discovered during adoption assistance case reviews.</p>
<p>2.4 Screening for adoption assistance</p>	<p>Provides brief overview to screening the child with special needs for adoption assistance prior to, and after, the final order of adoption.</p> <p>Describes the purpose of the Adoption Assistance Screening Tool which replaces the Adoption Assistance Eligibility Form.</p> <p>Describes when the LDSS should use this tool.</p>
<p>2.5 Screening child prior to final order of adoption</p>	<p>Overall section provides requirements, procedures, and documentation for screening child's eligibility for adoption assistance prior to the final order of adoption.</p> <p>This section briefly summarizes screening process.</p>
<p>2.5.1 Screening child for Title IV-E adoption assistance maintenance payments</p>	<p>Provides overview to steps when screening the child for Title IV-E adoption assistance maintenance payments. The LDSS evaluates the child's eligibility by first establishing whether the child is an Applicable or Non-Applicable Child. The LDSS then screens the child as either an Applicable or Non-Applicable Child, establishing whether the child has special needs and meets specific criteria.</p> <p>When the child has special needs and meets at least one criteria as either an Applicable or Non-Applicable Child, the child is eligible for Title IV-E adoption assistance maintenance payments. The section summarizes next steps for the LDSS.</p> <p>When the Applicable or Non-Applicable Child does not have special needs or does not meet at least one criteria, then the child is not eligible for Title IV-E adoption assistance maintenance payments. The LDSS then screens the child for state adoption assistance maintenance payments.</p>
<p>2.5.2 Determining whether Title IV-E Applicable Child</p>	<p>Provides requirements and procedures for first step in determining whether child is eligible for Title IV-E adoption assistance maintenance payments – determining whether child is an Applicable or Non-Applicable Child for Title IV-E purposes.</p> <p>The child is an Applicable Child when the child meets the age criteria or one of two exceptions to the age criteria – either length of stay in foster care or sibling status.</p>
<p>2.5.3 Screening Title IV-E Applicable Child</p>	<p>Section provides overview, requirements and procedures for determining whether the Title IV-E Applicable Child is eligible for Title IV-E adoption assistance maintenance payments.</p>

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	<p>2.5.3.1 Establishing child has special needs as Applicable Child</p> <p>2.5.3.2 Applying Title IV-E eligibility criteria for Applicable Child</p> <p>2.5.3.3 Meeting criteria for subsequent adoption after previous adoption dissolved or parents died</p> <p>2.5.3.4 Determination and action for Applicable Child.</p>
<p>2.5.4 Screening Title IV-E Non-Applicable Child</p>	<p>Section provides overview, requirements and procedures for determining whether the Title IV-E Non-Applicable Child is eligible for Title IV-E adoption assistance maintenance payments.</p> <p>2.5.4.1 Establishing child has special needs as Non-Applicable Child</p> <p>2.5.4.2 Applying Title IV-E eligibility criteria for Non-Applicable Child</p> <p>2.5.4.3 Meeting criteria for subsequent adoption after previous adoption dissolved or parents died</p> <p>2.5.4.4 Determination and action for Non-Applicable Child.</p>
<p>2.5.5 Screening child for state adoption assistance</p>	<p>Section provides overview, requirements, and procedures for screening child for state adoption assistance. When the LDSS determines the child is not eligible for Title IV-E adoption assistance maintenance payments, then the LDSS screens the child for state adoption assistance maintenance payments.</p> <p>2.5.5.1 Establishing child has special needs for state adoption assistance</p> <p>2.5.5.2 Applying state eligibility criteria for child who has special needs</p> <p>2.5.5.3 Determination and action for state adoption assistance maintenance payments.</p>
<p>2.5.6 Flow charts on determining child's eligibility prior to final order of adoption</p>	<p>Shows steps in determining child's eligibility for adoption assistance maintenance payments prior to final order of adoption.</p> <p>2.5.6.1 Applicable Child's eligibility for Title IV-E adoption assistance prior to final order of adoption</p> <p>2.5.6.2 Non-Applicable Child's eligibility for Title IV-E Adoption assistance prior to final order of adoption</p> <p>2.5.6.3 Child's eligibility for State adoption assistance maintenance payments prior to final order of adoption</p>
<p>2.5.7 Documenting child requirements for adoption assistance</p>	<p>Section provides requirements and procedures for establishing and documenting the child's special need factors and eligibility for adoption assistance.</p> <p>2.5.7.1 Age and legal residency</p> <p>2.5.7.2 Cannot or should not return home</p> <p>2.5.7.3 Physical, mental, and/or emotional condition</p> <p>2.5.7.4 Hereditary tendency, congenital problem, or birth injury</p> <p>2.5.7.5 Minority group, sibling group, and age</p> <p>2.5.7.6 SSI medical or disability requirements</p> <p>2.5.7.7 Special need factor of significant emotional ties</p> <p>2.5.7.8 Reasonable but unsuccessful efforts to place without assistance</p>

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	<p>2.5.7.9. Reasonable efforts contrary to child’s best interest (Title IV-E requirement)</p> <p>2.5.7.10 Exception to reasonable efforts of significant emotional ties (state requirement)</p>
2.5.8 Eligibility for basic and enhanced maintenance payments	<p>Specifies two types of maintenance payments: basic and enhanced.</p> <p>Clarifies that a supplemental clothing allowance over and above the maintenance payment is not an allowable payment in adoption assistance.</p> <p>Requires LDSS to administer the Virginia Enhanced Maintenance Assessment Tool (VEMAT) under specific circumstances to determine whether an enhanced maintenance payment is appropriate. When a VEMAT is not administered, the child is not eligible for an enhanced maintenance payment. The VEMAT is not required for adoption assistance agreements entered into prior to October 1, 2009.</p>
2.5.9 Eligibility for Medicaid in relation to adoption assistance agreement	<p>Provides information for the LDSS to inform the adoptive parents about the child’s eligibility for Medicaid in relation to the adoption assistance agreement.</p> <p>2.5.9.1 Child eligible for Title IV-E adoption assistance</p> <p>2.5.9.2 Child eligible for state (non IV-E) special medical needs adoption assistance</p> <p>2.5.9.3 Child eligible for state (non IV-E) adoption assistance, not special medical needs</p>
2.5.10 Eligibility for non-recurring adoption expense payments	Provides eligibility for nonrecurring adoption expenses.
2.5.11 Eligibility for state special services payments	Provides eligibility for state special services payments. Requires special services to be directly related to the child’s special needs and time-limited.
2.6 Screening child after final order of adoption	Section provides requirements, procedures, and documentation for screening child’s eligibility for adoption assistance <u>after</u> the final order of adoption.
2.6.1 Establishing special needs and eligibility for adoption assistance	Requires four criteria to establish child has special needs and is eligible for adoption assistance.
2.6.2 Documenting special need condition/disability after final order of adoption	Requires statement from qualified professional showing the child was first diagnosed with the condition/disability after the final order of adoption <u>and</u> within twelve months of the date the adoptive parents submitted the application for adoption assistance.
2.6.3 State funded maintenance payments	Requires only state funds used for maintenance payments when the adoption assistance agreement is entered into <u>after</u> the final order of adoption.
2.6.4 Flow chart on child’s eligibility for State adoption assistance	Provides flow chart of steps when establishing the child has special needs and is eligible for adoption assistance <u>after</u> the final order of adoption.
2.6.5 Eligibility for basic and enhanced maintenance payments	Requires LDSS to administer the VEMAT under specific circumstances to determine whether an enhanced maintenance

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	payment is appropriate. When a VEMAT is not administered, the child is not eligible for an enhanced maintenance payment.
2.6.6 Eligibility for Medicaid	Requires Medicaid not be included in the adoption assistance agreement when the application for adoption assistance is made <u>after</u> the final order of adoption.
2.6.7 Non-recurring adoption expense payments not available	Requires non-recurring adoption expenses not be included in adoption assistance agreement entered into <u>after</u> the final order of adoption.
2.6.8 Eligibility for state special services payments	Provides eligibility for special services payments <u>after</u> the final order of adoption.
2.7 Preparing for adoption assistance process	Lists activities to prepare for the adoption assistance process (e.g., ensuring the Full Disclosure of Child Information Form is complete; identifying services and supports child is receiving; identifying the amount of basic maintenance payments available and the maximum amount of enhanced maintenance payments; exploring benefits child may be eligible to receive; and entering information in Virginia Application for Adoption Assistance for adoptive parents).
2.8 Educating and partnering with adoptive parents	Section provides information to discuss with the adoptive parents. <ul style="list-style-type: none"> <li>2.8.1 Collaborative partnership</li> <li>2.8.2 How adoption assistance applies to the child</li> <li>2.8.3 Information on continuing SSI payments for eligible child</li> <li>2.8.4 Information on survivor and disability benefits</li> <li>2.8.5 Information on Federal Adoption Tax Credit</li> <li>2.8.6 Responsibility for school attendance</li> <li>2.8.7 Independent living services for youth adopted at age 16 and over</li> <li>2.8.8 Youth participation in National Youth in Transition Database (NTYD)</li> </ul>
2.9 Application process	Section provides information on the application process.
2.9.1 Application and required documentation	Requires the use of the Virginia Application for Adoption Assistance. Lists the options adoptive parents may choose
2.9.2 Initial review and notice of application receipt	Specifies LDSS should inform the adoptive parents of receipt and status of application within fourteen days after receiving an application for adoption assistance.
2.9.3 Screening child when not previously completed	Describes types of situations when screening for the child's special needs and eligibility for adoption assistance may not have occurred prior to receiving application. LDSS should conduct screening immediately upon receipt of the application and before starting the assessment and negotiation process.
2.9.4 Timeframe for acting on completed application	Requires adoption assistance agreement be completed within 90 days from the date the LDSS received the completed application and all required documentation. Describes what occurs when the agreement is not executed within ninety days.
2.10 Negotiating adoption assistance	Provides the purpose, goal, and principles to guide negotiation with the adoptive parents.
2.11 Assessing family circumstances	Describes that the LDSS begins the assessment and negotiation process by facilitating conversations with the adoptive parents about the child's special needs, their family circumstances, and

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	<p>how these circumstances impact need for adoption assistance.</p> <p>The adoptive parents provide information on their family circumstances in the Virginia Application for Adoption Assistance. Describes the purpose of the information and how to use the worksheet when assessing and negotiating adoption assistance. The LDSS shall not use this information in determining the child's eligibility for adoption assistance, nor as the sole factor in assessing family circumstances or in determining adoption assistance payments.</p>
2.12 Assessing basic maintenance needs of child	<p>Provides factors the LDSS should discuss with the adoptive parents when addressing the child's basic maintenance needs.</p> <p>Provides procedures when adoptive parents request a time-limited payment.</p> <p>Requires the LDSS to continue providing the basic maintenance payment until: the adoptive parents decline the payment in writing; a new amount is agreed upon in a signed addendum; or the agreement is terminated based on specific terms.</p>
2.13 Assessing additional supervision and support needs of child	<p>Provides factors the LDSS should discuss and negotiate with the adoptive parents.</p> <p>Provides procedures when adoptive parents request a time-limited payment.</p> <p>Requires the LDSS to continue providing the enhanced maintenance payment until: the adoptive parents decline the payment in writing; a new amount is agreed upon in a signed addendum; or the agreement is terminated based on specific terms.</p>
2.14 Assessing child's health insurance needs	<p>Identifies options the adoptive parents have for providing health insurance coverage for the child.</p> <p>Clarifies whenever the child has health insurance coverage available, special services payments shall not be used to pay for health insurance premiums nor covered benefits.</p>
2.15 Assessing non-recurring adoption expenses	<p>Provides types and requirements for non-recurring adoption expenses.</p>
2.16 Assessing services to meet child's special needs	<p>Section provides policies, procedures, and documentation for special services payments.</p>
2.16.1 Basic requirements	<p>Requires special services and/or supports shall be directly related to the child's documented special needs and time-limited.</p>
2.16.2 Types of special services	<p>Lists the types of special services and/or supports that may be provided.</p> <p>Clarifies when child care may be paid as special service.</p> <p>Requires that special services payments not be used for placements in group homes, independent living arrangements, treatment/</p>

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	therapeutic foster care (TFC) homes, boarding schools, or private school placements.
2.16.3 Determining whether services are covered by other resources	<p>Requires when the LDSS determines that health insurance benefits or other resources are appropriate, available, and accessible for the child, these resources shall be utilized prior to considering adoption assistance special services. Requires adoption assistance funds shall not be used to pay for services that can be provided through these resources. The adoptive parents may choose whether or not to use these resources.</p> <p>2.16.3.1 Determining whether residential treatment services are covered</p>
2.16.4 Determining whether adoptive parents can financially afford services	Requires prior to considering special services payments, the LDSS shall determine whether the adoptive parents can financially afford the special services, as required by law. Provides procedures for determining this information.
2.16.5 Negotiating special services payments	<p>Provides factors the LDSS should discuss and negotiate with the adoptive parents.</p> <p>Describes how to use the worksheet calculation on the remaining funds the adoptive parents identify they have available that may be used for special services and/or supports (the amount they can financially afford to pay) in negotiations. Requires this information not be the only factor considered in assessing family circumstances and in determining the payment.</p>
2.16.6 Additional requirements for residential treatment services	<p>Provides additional procedures when adoptive parents request residential treatment services.</p> <p>2.16.6.1 Requirements for residential treatment services</p> <p>2.16.6.2 Convening Family Partnership Meeting</p> <p>2.16.6.3 Negotiating residential treatment services</p> <p>2.16.6.4 Responsibilities of adoptive parents</p> <p>2.16.6.5 Discharge and aftercare planning</p>
2.16.7 Selecting providers	Provides the adoptive parents have the right and responsibility for selecting the provider they feel is most appropriate for their child. However, adoption assistance special services payments shall be used to pay for specific types of providers, when applicable. The adoptive parents may choose whether to use these providers or use their own or alternative resources to pay for other providers.
2.17 Assessing resources to defray costs	<p>Section provides brief descriptions and links to resources to help meet the child’s special needs and defray the costs for adoption assistance and adoptive parents.</p> <p>The LDSS shall document the resources explored and the results in the OASIS case contacts.</p> <p>2.17.1 Child’s health insurance</p> <p>2.17.2 Family preservation services for adoptive families</p> <p>2.17.3 Children’s special needs</p> <p>2.17.4 Older youth with significant disabilities</p> <p>2.17.5 Educational and related services needs</p>



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	<p>2.17.6 Post secondary education and training</p>
2.18 Resolving issues during negotiation	<p>Provides strategies for resolving issues when the LDSS and adoptive parents cannot reach consensus during the assessment and negotiation process.</p> <p>Provides that after the LDSS makes concerted efforts and consensus still cannot be reached, the LDSS should make and document its determination using the Summary of Facts.</p> <p>Requires the LDSS offer the adoptive parents an adoption assistance agreement with the agreed upon terms and inform them how to exercise their right to appeal decisions on issues they did not reach consensus.</p> <p>Requires the LDSS provide a written notice of action to the adoptive parents documenting action on the application within ninety (90) days from the date they received the completed application with all required documentation.</p>
2.19 Adoption Assistance Agreement	<p>2.19.1 Developing the agreement 2.19.2 Executing the agreement</p> <p>Eliminates use of three agreements: state, Title IV-E, and conditional. Replaces with one Virginia Adoption Assistance Agreement.</p> <p>Specifies the components of agreements when child is eligible for adoption assistance maintenance payments through Title IV-E funds prior to the final order of adoption and through state funds whether prior to, or after, the final order of adoption.</p>
2.20 Payment and services	<p>Provides that once an adoption assistance agreement is executed, the parents have the right to make decisions on behalf of the child without further LDSS approval or oversight and may use adoption assistance funds as they determine appropriate. The only exception is state special services payments which shall be used and monitored in accordance with the negotiated and agreed upon terms in the signed adoption assistance agreement and any addendum.</p>
2.20.1 Beginning payments and services	<p>Clarifies when payments and/or services may begin.</p>
2.20.2 Making maintenance payments	<p>Provides requirements for making payments.</p>
2.20.3 Making non-recurring adoption expense payments	<p>Provides funding sources, budget lines, and cost codes.</p>
2.20.4 Making special service payments	
2.21 Maintaining responsibilities	<p>Provides responsibilities of adoptive parents and clarifies responsibilities of LDSS across jurisdictions.</p> <p>2.21.1 Responsibilities of the adoptive parents 2.21.2 Responsibilities of LDSS responsible for adoption</p>

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	<p>assistance</p> <p>2.21.2.1 No redetermination of Title IV-E eligibility for adoption assistance</p> <p>2.21.3 Responsibilities of LDSS where adoptive parents reside</p> <p>2.21.4 Responsibilities of LDSS when abuse or neglect</p>
2.22 Annual affidavit	<p>Provides requirements and procedures for annual affidavit.</p> <p>Provides procedures that the LDSS may suspend special services payments until the signed affidavit is received, when the LDSS determines appropriate.</p>
2.23 Making changes to agreement	<p>Section provides procedures and timelines for making changes to the adoption assistance agreement.</p>
2.23.1 Submitting request for addendum	<p>Requires the adoptive parents submit a Request for an Addendum to the Virginia Adoption Assistance Agreement.</p>
2.23.2 Timeframe for acting on request	<p>Provides within 14 days after receiving the request for an addendum, the LDSS should notify parents in writing of status.</p>
2.23.3 Assessing overall request for addendum	<p>Provides types of discussions LDSS should have about adoptive parent's request for an addendum.</p>
2.23.4 Assessing relevant components of adoption assistance	<p>Provides the LDSS should use the same assessment and negotiation process that is used for initial agreements.</p> <p>Provides guidance on specific situations that adoptive parents may request.</p>
2.23.5 Executing the addendum	<p>Provides procedures for executing addendum</p>
2.24 Terminating payments and/or agreements	<p>Specifies when payments and/or the adoption assistance agreement shall be terminated.</p>
2.24.1 Terminating maintenance payments	<p>Requires the LDSS only terminates maintenance payments based on terms in the adoption assistance agreement: the agreed upon time period ends and the adoptive parents' decline the payment in writing; the adoptive parents request in writing that the payment be ended; or the LDSS determines the agreement shall be terminated due to delineated circumstances.</p>
2.24.2 Terminating state special services payments	<p>Provides when the LDSS may terminate state special services payments based on terms in the adoption assistance agreement.</p>
2.24.3 Terminating the agreement	<p>Requires the LDSS to terminate the agreement only when specific circumstances occur, as specified in the adoption assistance agreement.</p> <p>Clarifies when to end the agreement when the youth is enrolled full-time in his senior year of high school or last year of vocational/technical school when turning age 18.</p>
2.24.4 Assessing condition warrants continuation until age 21	<p>Provides six months prior to the child turning age 18, the LDSS should assess with the parents whether the youth has a condition that warrants continuation of adoption assistance up to age 21.</p> <p>Requires the LDSS determine the youth meets two criteria to continue adoption assistance beyond age 18.</p> <p>Clarifies the LDSS <u>may</u> continue the adoption assistance</p>

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	<p>agreement until the youth reaches age 21 when the youth’s condition warrants continuation of adoption assistance.</p> <p>Provides circumstances when the LDSS should continue the agreement and when the LDSS should terminate the agreement.</p> <p>Specifies funding source for maintenance payments after age 18 based on type of disability/condition.</p>
2.24.5 LDSS actions when adoptive parents fail to provide financial support	Provides procedures when the LDSS documents verifiable information that the parents are providing no financial support for the child.
2.24.6 LDSS actions when adoptive parents die	<p>Requires the adoption assistance agreement be terminated when both parents die in a two-parent family, or one parent dies in a single parent family.</p> <p>Provides requirements and procedures for subsequent adoptions.</p>
2.25 Appeals and fair hearings	<p>Section provides information on appeals and fair hearing process consistent with VDSS Appeals and Fair Hearings Unit Procedures Manual 2012.</p> <p>2.25.1 Request for appeals</p> <p>2.25.2 Validating the appeal</p> <p>2.25.3 Summary of Facts</p> <p>2.25.4 Administrative Hearing</p> <p>2.25.5 Withdrawal statement</p> <p>2.25.6 Appeal to Circuit Court</p> <p>2.25.7 Filing complaint of discrimination</p>
2.25.7 Filing complaint of discrimination	Adds right of adoptive parents to file a complaint of discrimination because of race, color, national origin, sex, age, or disability.
2.26 Establishing paper care record	<p>Requires LDSS to establish a separate adoption assistance case record for the child, upon receipt of an application for adoption assistance.</p> <p>Lists required areas of documentation. Refers to Checklist for Child’s Adoption Assistance Paper Case Record for specific documents required.</p>
2.27 OASIS case record	<p>Provides instructions on opening an adoption assistance case in OASIS.</p> <p>Requires narrative summaries to document that policies, procedures, and timelines were followed when applicable.</p>
<b>Section 3 Finalizing the Adoption</b>	
<b>Section</b>	<b>Significant Changes</b>
Entire section	<p>Replaces in previous manual:</p> <ul style="list-style-type: none"> <li>○ Section 3-Pre-placement services</li> <li>○ Section 4-Placement services</li> <li>○ Section 5-Post placement services</li> </ul> <p>Changes “Adoption Unit” to “VDSS Permanency Unit” in which</p>

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3.1 Introduction	adoption services are managed. Clarifies who files the adoption petition and the agency responsibility in the process.
3.2 Framework	Provides a framework for adoption in Virginia in alignment with the Virginia Children’s Services Practice Model.
3.3 Legal Citations	Provides the chapters of the Code of Virginia that reference the general provisions for adoption.
3.4 Steps for Finalization	New location for information on the process for finalizing adoption after the adoptive parents file a petition including when to file, legal representation, consents, counseling of birth parents, and the execution of the consents.
3.5 The petition filing date	Clarifies the definition of the petition filing date for an adoption petition.
3.6 Report of investigation	New location for information on the process and what should be included in the report of investigation once an agency has been ordered to submit such report.
3.7 Supervision of placement	New location for information on supervising the adoptive placement during the probationary period.
3.8.1 Obtaining an adoption number	Clarifies that the agency should receive an adoption number from the adoption records specialist within 30 days once the adoption records specialist receives the required documents from the circuit court and whom to contact if a number is not received.
3.8.2 Materials sent to the permanency Unit-adoption specialist	New location for the list of items to be included when an adoption record is to be sent to the state for archiving.
3.8.3 Materials maintained at the local department of social services	Identifies and lists the documents that the local department of social services should maintain at the agency for reviews.
3.8.4 Maintaining adoption records at the LDSS	Provides links to the Library of Virginia Archival and Records Managements services division for record retention information.
3.9.1. New birth certificate and Social Security information	Clarifies that the administrative fee for a new birth certificate may be claimed under non-recurring adoption expenses.
<b>Section 4 Post Adoption Services</b>	
<b>Section</b>	<b>Significant Changes</b>
Entire section	Replaces in previous manual: <ul style="list-style-type: none"> <li>o Section 6-Post adoption services</li> </ul>
4.1 Introduction	Defines why post adoption services are an integral part of any adoption for stabilization and support of the adoptive family.
4.2 Framework	Provides general information on post adopt services and their importance for supporting the adoptive family.  Provides website resources for post adoptive services.
4.3 Types of post adopt services	Provides a list of the type of services that are considered as post adoption services.  Provides a link to the federal ACYF –Child Welfare Gateway for printable fact sheets for families about various adoption and post adoption services/issues.
4.4 Adoption Dissolution	New section defining and providing guidance on adoption

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	<p>dissolution.</p> <p>Clarifies that the agency responsible for the adoption placement should work cooperatively with the current agency serving the family in the case of a potential dissolution.</p> <p>Specifies that temporary entrustment agreements should not be used when adoptive parents wish to terminate their legal involvement or obtain treatment for their child,</p> <p>Provides information on eligibility for adoption assistance if the adoption dissolves and the child is re-adopted.</p>
<p><b>Section 5 Conducting a Disclosure Search</b></p>	
<b>Section</b>	<b>Significant Changes</b>
Entire Section	New section on how to conduct a disclosure search for non identifying and identifying information from a closed adoption record when the adult adoptee, birth sibling or birth parent requests disclosure of birth family information.
5.1 Introduction	<p>Clarifies that VDSS is responsible for maintaining permanent adoption files, archived since July 1, 1942.</p> <p>Defines who may request non identifying and identifying information from a closed adoption record based on an application for disclosure.</p>
5.2 Legal Citations	Identifies the sections of the Code of Virginia that address law on permanent record retention, disposition of reports, and disclosure of birth information.
5.3 Conducting a disclosure search	<p>Defines who may conduct the disclosure search on behalf of the VDSS Commissioner.</p> <p>Sets the requirement for completing a disclosure search in 90 days.</p>
5.4.1 Definition of non identifying information	Defines what is considered non identifying information from a closed adoption record.
5.4.2.1 Critical medical information	Defines what critical medical information may be shared from a closed adoption record.
5.4.2.1.1 Releasing critical medical information	Clarifies the requirements and process for releasing critical medical information.
5.4.2.2. Letters and pictures	Clarifies the responsibility of the CPA to be involved in the exchange of letters and pictures between birth and adoptive parents.
5.4.3 Editing adoption records for non identifying information	Provides a process for editing closed adoption records for disclosure of non identifying information.
5.4.4 Releasing non identifying information	Defines the process for releasing non identifying information to the adoptee.
5.5 Type of information to be released- Identifying information	Defines what is considered identifying information in a closed adoption file.

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5.5.1 Who may have access to identifying information	<p>Defines who may have identifying information from the closed adoption records.</p> <p>Clarifies it is the responsibility of the VDSS Commissioner to determine whether information will be released from the closed adoption record when an application for disclosure is received.</p> <p>Clarifies that the CPA conducting the search may have the responsibility to release the information to the adoptee, birth or adoptive family, if approved by the Commissioner.</p>
5.6 When a local agency receives a request for disclosure	Provides for the CPA a process to use when the agency is contacted directly by an adult adoptee, birth parent, adult birth sibling, or adoptive parent requesting information on an adoption.
5.7 Agency responsibilities in a disclosure search	Defines the responsibilities of the agency assigned to complete a disclosure search.
5.8 Searching for information	Provides for the service worker techniques and resources to use when conducting a disclosure search.
5.8.1 Expediting a search	Clarifies that if situations are discovered in a search that should expedite the disclosure that the VDSS Adoption Disclosure Specialist be notified of the need to expedite the disposition.
5.9 Completing the report of inquiry	Clarifies the format in which the report of inquiries should be submitted to the VDSS permanency unit.
5.9.1 Agency recommendations for disposition	Provides for the agency recommendations for disposition of the request for disclosure of identifying information based on the information from the disclosure search.
5.9.2 Waiting for the final disposition	Provides resources for the service worker to provide support to the adoptee, birth parent or adult sibling, or adoptive parent pending final disposition of the disclosure search.
5.9.3 Final disposition	Clarifies that the VDSS Commissioner makes the final decision about release of identifying information and the potential outcomes of the disclosure decision.
5.10 Charging a fee	New location on the fee schedule information for adoption searches
<b>Section 6 Non Agency Placement Adoptions</b>	
<b>Section</b>	<b>Significant Changes</b>
Entire Section	<p>Replaced in previous manual:</p> <ul style="list-style-type: none"> <li>○ Chapter D-Adoption-non agency placements</li> </ul>
6.2 Parental placement adoptions	Provides the Code of Virginia sections that relate to parental placement adoption.
6.2.2.3 Agency meetings with birth parent and adoptive parent	Provides clarification consistent with the Code of Virginia the responsibilities of the service worker during the meetings with adoptive and birth parents.
6.2.2.6 Provide the juvenile court with a report of home study	Clarifies that the information in the report of home study should be consistent with information in the home study.
6.2.3 Duties of the attorney in parental placement adoption in juvenile court	<p>Moved from Chapter D, section 2 in previous guidance.</p> <p>Provides an opening statement in each of these sections that these duties do not require any action on the part of the CPA but that the</p>

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<p>6.2.4 Duties of the juvenile court in a parental placement before the adoption petition is filed in circuit court</p> <p>6.2.6 Duties of the circuit court in a parental placement adoption after the adoption petition is filed in circuit court</p> <p>6.2.7 Duties of the attorney in a parental placement adoption after the adoption petition is filed in circuit court</p>	<p>CPA should be knowledgeable of what actions each of these parties have in an adoption proceeding.</p>
<p>6.3 Close Relative Adoptions</p>	<p>Defines who is considered a close relative for the purposes of adoption and the sections of the Code of Virginia related to close relative adoptions.</p> <p>Clarifies what procedures for adoption should be followed depending on the status of the relative adopting.</p>
<p>6.3.6 Duties of the attorney</p> <p>6.3.7 Duties of the circuit court when the child has resided in the home of the prospective adoptive parents continuously for at least (3) years</p>	<p>Adds a statement that clarifies that actions by the court and attorneys related to finalizing a parental placement adoption do not typically require action by the CPA but are included for the purpose of understanding the role of the judiciary.</p>
<p>6.4 Stepparent Adoptions</p>	<p>Moved from Chapter D, section 3 in previous guidance.</p> <p>Provides a link to the Code of Virginia that addresses the requirements of a step parent adoption.</p>
<p>6.4.2.1 Respond to inquiries during the investigation</p>	<p>Clarifies that the Code of Virginia sets the requirements and information to be provided if an investigation is requested by the courts.</p>
<p>6.4.3 Duties of the attorney</p> <p>6.4.5 Duties of the circuit court</p>	<p>Adds a statement that clarifies that actions by the court and attorneys related to finalizing a step parent adoption do not typically require action by the CPA but are included for the purpose of understanding the role of the judiciary.</p>
<p>6.5 Adult Adoptions</p>	<p>Moved from Chapter D, section 1 in previous guidance</p> <p>Provides links to the Code of Virginia that address the requirements of an adult adoption.</p>

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6.5.6 Duties of an attorney in an adult adoption  6.5.7 Duties of the court	Adds a statement that clarifies that actions by the court and attorneys related to finalizing an adult adoption do not typically require action by the CPA but are included for the purpose of understanding the role of the judiciary in adult adoptions.
6.6 Intercountry adoptions	Moved from Chapter D, section 6 in previous guidance
6.6.1 Pre-adoptive requirements	Provides an email link to the VDSS intercountry adoption specialist.  Clarifies the immigration status of foreign born children brought into the country for the purpose of re-adoption in Virginia.  Clarifies that re-adoption is not required to obtain a birth certificate however, it is recommended to have a preserved adoption file in Virginia.
6.6.4 Duties of the attorney  6.6.6 Duties of the circuit court	Moved from Chapter D, section 10 in previous guidance.  Adds a statement that clarifies that duties by the court and attorneys related to finalizing an intercountry adoption do not typically require action by the CPA but pending certain court actions may require action on behalf of the CPA.
<b>Section 7 Other Court Ordered Services</b>	
<b>Section</b>	<b>Significant Changes</b>
Section 7	Moved from Chapter D, section 8 in the previous guidance.
7.2 Legal Citations	Provides links to the Code of Virginia that addresses requirements for other court ordered services.
7.3.2 Definitions	Clarifies definitions for joint custody, sole custody and a person with legitimate interest, consistent with the Code of Virginia.
7.3.3 Basic assumptions	Provides the factors that the judge may consider in custodial investigation if the information is presented by the parties.
<b>Section 8 Virginia Putative Father Registry</b>	
<b>Section</b>	<b>Significant Changes</b>
Section 8	Moved from Chapter D, section 11 in previous guidance
8.2 Legal Citations	Provides links to the Code of Virginia that reference the Virginia Putative Father Registry
8.5 How to register	Clarifies the requirement that the registering father's signature is to be included on the Putative Father registration form.
8.6 Timely registration	Defines that notification will be considered timely within 10 days of personal service or by certified mailing of notice if there is an adoptive plan for the child.  Clarifies that the adoptive parents or their attorney may provide notice in a non agency placement adoption.
8.10 Access to the Virginia Putative	Clarifies whom and what type of proceeding shall be authorized to




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Father Registry	have access to information in the Putative Father Registry.
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Questions about the transmittal should be directed to:

Dawn Caldwell, (540) 204-9638, [dawn.caldwell@dss.virginia.gov](mailto:dawn.caldwell@dss.virginia.gov)  
Tammy Curl, (540) 347-6250, [tammy.d.curl@dss.virginia.gov](mailto:tammy.d.curl@dss.virginia.gov)  
Tammy Francisco, (276) 676-5487, [tammy.francisco@dss.virginia.gov](mailto:tammy.francisco@dss.virginia.gov)  
Jane Joyner, (757) 491-3986, [jane.joyner@dss.virginia.gov](mailto:jane.joyner@dss.virginia.gov)  
Lisa Tully, (804) 662-9791, [lisa.tully@dss.virginia.gov](mailto:lisa.tully@dss.virginia.gov)

  
Margaret Ross Schultze  
Commissioner

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