

Adoption and Permanent Custodianship Information

Adoption from Foster Care	Permanent Custodianship
<ul style="list-style-type: none"> - Criteria for whom adoption may be an appropriate goal: Children and youth in DCF custody, out of home placement, for whom a determination has been made the children cannot safely return home, and parental rights have been terminated or relinquished. - Adoption may be considered for children/youth of any age. - The adoptive parents must have completed the required training curriculum and have an approved home assessment. For relative adoptive families, the training is not required. - Biological parents no longer retain any legal or financial responsibilities for the child. Their rights must have been terminated or relinquished and the child have been placed in DCF custody for the purposes of adoption. - Adoptive parents assume all legal and financial responsibility of the child. Once the child is adopted, a new birth certificate will be issued. 	<ul style="list-style-type: none"> - Criteria for whom permanent custodianship may be an appropriate goal: A youth ages 14 or older or who are part of a sibling group being placed together and one child is age 14 or older, in DCF custody, OOH placement, for whom a determination is made that reintegration or adoption are not viable permanency goals. Parental rights do not have to be terminated or relinquished. Parents may consent to the permanent custodianship, or the court may make findings that would allow for them to grant the permanent custodianship. - The caregiver seeking to be appointed permanent custodian must have an approved home assessment. Letters may be required from the youth and caregiver voicing their desire to have the permanent custodianship completed. - If parental rights are not terminated, the parent may still retain financial responsibility for the child. - The Permanent Custodian exercises all the rights and responsibilities of a parent without state oversight or intervention.
Adoption Assistance	Permanent Custodianship Subsidy (PCS)
<ul style="list-style-type: none"> - Adoption from foster care does provide an adoption assistance component, which may include: <ul style="list-style-type: none"> o Kansas medical card until the child reaches age 18 or graduates from high school (whichever comes last) o Financial assistance to finalize the adoption o Special one-time payment to help with costs related to the special needs of the child o A monthly cash subsidy of up to \$500 - Adoption assistance may be state or federally funded assistance, depending on the eligibility determination for the child. 	<ul style="list-style-type: none"> - There is a potential for a monthly subsidy of up to \$300 to be provided by DCF to support the family after permanent custodianship is granted. - Caregivers will have to apply for a Medical Card through KANCARE (or Medicaid through their state agency, if not residing in Kansas) or place the child on their private insurance. A medical card is not automatically provided. - Permanent Custodianship Subsidy is state funded assistance.

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Eligibility Requirements for Adoption Assistance:	Eligibility Requirements for Permanent Custodianship Subsidy (PCS):
<ul style="list-style-type: none"> - Child must be legally free for adoption and in DCF custody or the custody of a licensed child placing agency. - A judicial determination that the child cannot return home to parents. - Documentation of the child’s special needs, including the factors that would limit the child being able to be adopted without adoption assistance. - For children who did not have an adoptive resource with whom they had a significant relationship (such as a relative or foster family), documentation is required to show efforts to place the child for adoption without assistance, which could include recruitment activities completed. - Adoption assistance ends when the child reaches age 18 or graduates high school, whichever comes last. If there are special needs of the child that may warrant the adoption assistance to be extended past the age of 18, DCF may be contacted to request an extension. Adoption assistance cannot continue past the age of 21. 	<ul style="list-style-type: none"> - Child must be in DCF custody and out of home placement at the time custodianship is established. - Children may be considered for permanent custodianship subsidy if they are age 14 and over, or are part of a sibling group being placed together and one child is age 14 and over, or have an approval for an exception from the PPS Director for other extenuating circumstances that make adoption not a reasonable option. - An order of permanent custodianship must be issued by the court. - Child may not be receiving Supplemental Security Income (SSI). - If the family wishes to apply for DCF Economic Assistance, the appointed custodian has to be an adult eligible to receive Temporary Assistance to Needy Families (TANF) as defined by Economic and Employment Support Services. - The custodian is encouraged to apply for TANF on behalf of the child. - Income and resources considered: <ul style="list-style-type: none"> o Social Security Survivors Benefits; o Child support; o Income for the child from a trust or annuity; o Other benefits such as railroad or veterans’ benefits - When a child receives SSI, the family may opt to apply to be payee for the SSI instead of PCS. The determination of payee status lies with the Social Security Administration. - While receiving PCS, the family may be eligible to receive child support from biological parents, if parental rights are still intact. - PCS ends when the child turns 18 or graduates high school, whichever comes last.

When ICWA applies, the Tribal Representative should be involved in discussions around case plan goals and permanency options for the child. Concurrent case planning that is already occurring should also be taken into consideration when determining permanency options for a child.