Extension of Maintenance Adoption Subsidy (EMAS)



Participant Guide

Office of Child Welfare

Introduction

Why This, Why Now? Title IV-E Waiver

	o7, Florida entered into a Title IV-E Demonstration Waiver which allowed the to: Waive certain provisions of the Title IV-E Social Security Act. Use the funds for a wide variety of child welfare purposes rather than being restricted to eligible children in licensed foster care homes or institutions.
Why Th	s, Why Now? Title IV-E Waiver Expiration

• The Title IV-E Waiver expired in September 2018. Florida requested and was granted an extension until September 2019.

•	With the sunsetting of the waiver, the Department expects to lose \$90 million dollars in revenue that goes to the CBCs to fund services to families and positions.

Why This, Why Now? Path Forward

- Path Forward is the statewide initiative to prepare for the post-waiver environment.
- The Department has identified initiatives that can be used to draw down additional federal funds to support the state's Child Welfare System:
 - Title IV-E Extended Foster Care (EFC) and Extended Maintenance Adoption Subsidy (EMAS)
 - Guardianship Assistance Program (GAP)
 - Title IV-E eligibility clean-up
 - Candidacy

_	Candidacy
Curre	nt Maintenance Adoption Subsidy (MAS) Program
а	Adoptive parents who enter into an Adoption Assistance Agreement (AAA) when adopting a child who meets the definition of special needs are eligible to receive maintenance adoption payments and Medicaid.
	Maintenance Adoption Subsidy and Medicaid both end when the child turns 18 years old.
	Florida has elected to use the option in the Social Security Act to utilize Title IV-E funds to provide adoption assistance for young adults age 18-21.

Extension of Maintenance Adoption Subsidy (EMAS) Program

- Available to adoptive parents who entered into an initial AAA for a 16 or 17-year-old special needs child.
- Young adults are able to receive a Maintenance Adoption Subsidy and Medicaid until the age of 21.
- This new program will:
 - Reduce the risk of a child remaining in foster care.
 - Provide additional financial support to adoptive parents.
 - Allow CBC lead agencies to provide additional support to adoptive families.

Policy Changes

Statute	Rule	Policy
Chapter 409.166(4) F.S., Children within the child welfare system; adoption assistance program	65C-16 Extended Foster Care (Draft)	CFOP 170-12: Chapter 2, Extension of Maintenance Adoption Subsidy (Draft)

Definitions

- **Child:** An individual who has not attained 21 years of age.
- Young Adult: An individual who has attained 18 years of age, but who has not attained 21 years of age.



Implementation Dates

•	FSFN functionality goes live on January 4, 2019.

Extended Maintenance Adoption Subsidy						
Transitioning Youth Young Adult						
16	17	18 19 20 21				

Adoption Assistance Agreement

 Must Establish Initial AAA and Elect EMAS at age 16 or 17

Youth Transitioning to Young Adult: <u>60</u> <u>Days</u> prior to 18th Birthday

- Obtain Extended Adoption Assistance Agreement
- Document Qualifying Activity
- EMAS Payments Begin at 18

Continued Participation in EMAS

- Maintain Qualifying Activity
- Redetermination of Young Adult's Qualifying Activity
 - Every 6 Months
 - Change in Qualifying Activity

Termination of EMAS

- Program Terminates When:
 - Young Adult is Unable to Document a Qualifying Activity
 - Young Adult Turns 21
 - Opt-out
 - Adoptive parent or Young Adult is deceased
 - Young Adult not Receiving Support from Adoptive Parent
- Requires Notification of the Department

Readmission to EMAS

- Young Adult May Re-enter until 21 with a Qualifying Activity
- Requires New Extended Adoption Assistance Agreement

Workshop Topics

•	Adoption Assistance A	Agreement ((AAA)	established	at age 16	or 17

• Youth Transitioning to Young Adult (60-Day Period and 18th Birthday)

•	Continued	Program	Eligibility
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•	Implementation	Consideration	5
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Adoption Assistance Agreement Established at Age 16 or 17

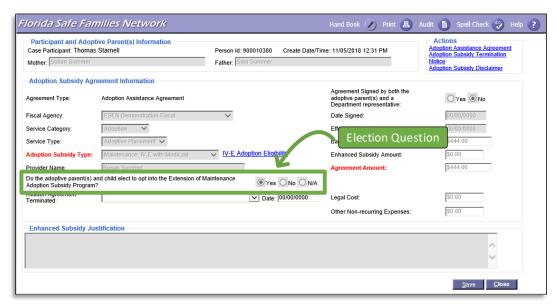
Adoption Assistance Agreement

 Must Establish Initial AAA and Elect EMAS at age 16 or 17

Discussion with Adoptive Family

- Every adoptive family who adopts a child at the age of 16 or 17 must be told about the EMAS and its purpose.
- To qualify, adoptive parents must opt in during the initial AAA.
 - If the EMAS is not included as part of the AAA prior to adoption finalization, the family cannot participate in the program.





Adoption Assistance Agreement

Youth Transitioning to Young Adult

(60-Day Period)

Youth Transitioning to Young Adult: <u>60</u> <u>Days</u> prior to 18th Birthday

- Obtain Extended Adoption Assistance Agreement
- Document Qualifying Activity
- EMAS Payments Begin at 18

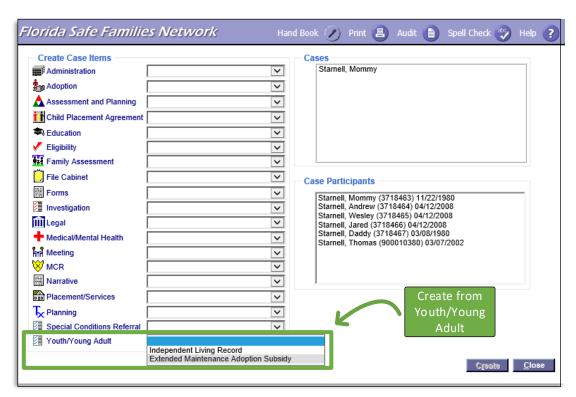
Program Eligibility Requirements



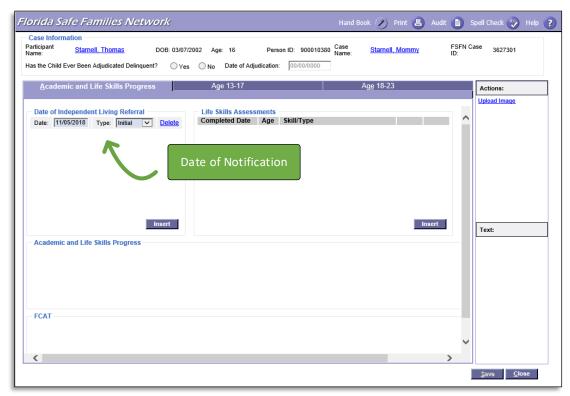
- To participate in EMAS, young adults must meet the following requirements:
 - Their adoptive parents entered into an initial AAA <u>after</u> the child turned 16, but <u>before</u> they turned 18.
 - Participation in a qualifying activity.

Notification Prior to 18th Birthday

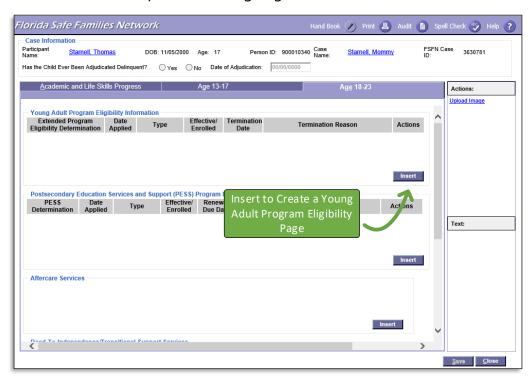
- Written notification regarding the need to execute the Extended Adoption
 Assistance Agreement (EAAA) (CF-FSP 5433) and program requirements must be
 mailed to the adoptive parents 60 days prior to the child's 18th birthday.
- If the EAAA is not received after the first notice, an additional attempt to notify the adoptive parents should occur 30 days prior to the child's 18th birthday.
 - Notice may be done by telephone, email, or other correspondence.



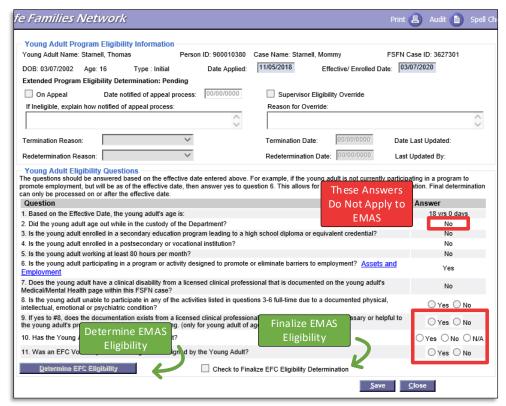
Create Independent Living and Extended Maintenance Adoption Subsidy



<u>Independent Living Page – Date of Referral</u>



Independent Living Page - Insert Young Adult Program Eligibility



Young Adult Program Eligibility

Qualifying Activities

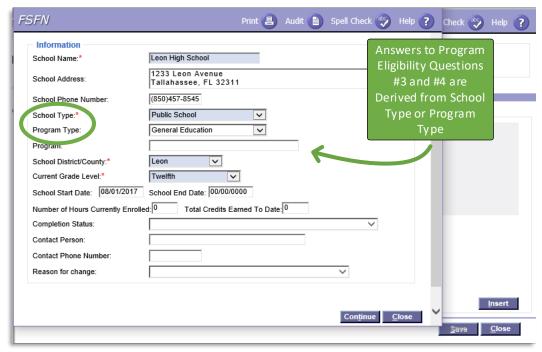
- Completing secondary education or a program leading to an equivalent credential
- Enrolled in an institution which provides post-secondary or vocational education
- Participating in a program or activity designed to promote, or eliminate barriers to, employment
- Employed for at least 80 hours per month
- Documentation that they are incapable of doing any of the above activities due to a medical condition

Documentation must be obtained that confirms qualifying activities.

Per CFOP 170-12 (2-4):

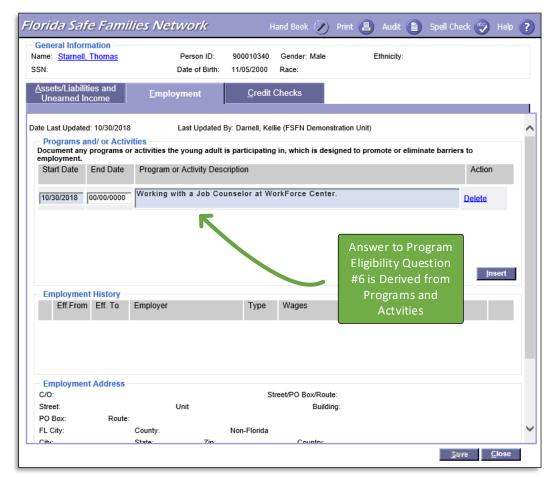
- a. Documentation for qualifying activities included but are not limited to:
 - i. Completing secondary education or a program leading to an equivalent credential.
 - 1. Copy of most recent report card documenting that the child is in good standings based on their academics and attendance.
 - 2. Copy of young adult's attendance record.
 - 3. If the young adult has an IEP, a copy of young adult's IEP must be accompanied by one of the items above.
 - ii. Enrolled in an institution which provides post-secondary or vocational education.
 - Copy of most recent transcript documenting that the child is in good standings based on their academics and attendance.
 - 2. A letter on institution's letterhead from the academic advisor stating the young adult is in good standings based on their academics and attendance
 - iii. Participation in a program or activity designed to promote, or remove barriers to employment.
 - Copy of most recent transcript documenting the young adult is in good standings based on their academics and attendance
 - 2. A letter on institution's letterhead from the academic advisor stating the young adult is in good standings based on their academics and attendance
 - iv. Employed for at least 80 hours per month
 - Copies of most recent pay stubs that equate to at least 80 hours per month.
 - 2. A letter on employer's letterhead from the employer stating that the young adult is employed and has worked a minimal of 80 hours per month.
 - v. Documentation that they are incapable of doing any other qualifying activities due to a medical condition.

b.	A young adult who is on a semester, summer break or other break but enrolled in the school the previous semester and will be enrolled after the break, is considered enrolled in school.

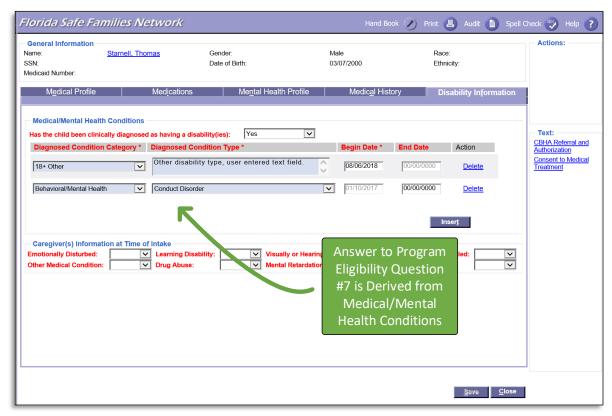


Education

	School Type	Program Type
3. Is the young adult enrolled in a secondary education program leading to a high school diploma or equivalent credential?	 Alternative School Charter School Group Home Program Home School Juvenile Detention/Corrections Private School Public School RTF Program Vocational/Technical 	 Adult Education Alternative Public- School Program Career & Vocational Education GED General Education Pre GED
4. Is the young adult enrolled in a postsecondary or vocational institution?	 2-year college 4-year college or university Vocational/Technical 	 Adult Education Alternative Public- School Program Career & Vocational Education Post-Secondary



Assets and Employment Page



Medical/Mental Health Page

Finalizing the Agreement

When the EAAA is received from the adoptive parents, supporting documentation must be attached confirming that the young adult meets one of the qualifying activities.



The CBC lead agency has ten business days to sign the EAAA after receipt.

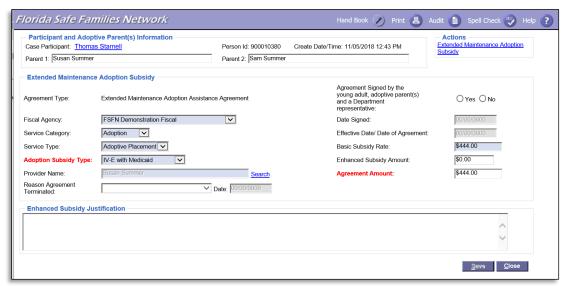
Execution of the Agreement Due Date

- The EAAA must be executed by the adoptive parents, the youth, the Child Welfare Professional and, if an adoption subsidy amount exception is being pursued, regional Department professionals before the youth turns 18.
- The effective date of the agreement is the date the youth turns 18 years old.

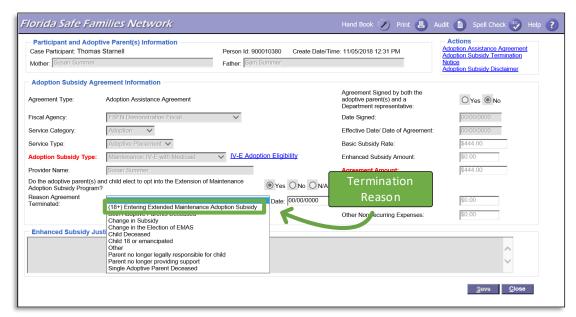
Document Review

Extension of Maintenance Adoption Assistance Agreement (EAAA) (CF-FSP 5433)

- After the EAAA is signed by all parties, it is uploaded into FSFN.
 - Image Category: Adoption
 - Image Type: Adoption Assistance Agreement



Extended Maintenance Adoption Subsidy Agreement



<u>Adoption Assistance Agreement – Termination</u>

Extended Maintenance Adoption Subsidy Payments



- EMAS payments begin once:
 - The child turns 18.
 - All parties have signed the EAAA.
 - Supporting documentation of the qualifying activity is received.

Eligibility and Enrollment

•	If the need for EMAS was not determined prior to the youth's 18th birthday and the
	adoptive parents feel they have been wrongly denied the subsidy, they have the
	right to appeal the denial.

•	If it is found that it was wrongly denied, retroactive payments will be made dating back to the date the family requested the subsidy in writing.

Title IV-E Eligibility

- Adoptive parents and young adults may participate regardless of Title IV-E eligibility status prior to age 18.
- Participation allows young adults to receive various program benefits, such as adoption subsidy payments and Medicaid.
- If the young adult's adoption eligibility before 18 was determined TANF eligible, a final Adoption TANF eligibility determination must be completed to document the young adult as TANF ineligible.

Continued Program Eligibility

Continued Participation in EMAS

- Maintain Qualifying Activity
- Redetermination of Young Adult's Qualifying Activity
 - **Every 6 Months**
 - Change in Qualifying Activity

Termination of EMAS

- Program Terminates When:
 - Young Adult is Unable to Document a Qualifying Activity
 - Young Adult Turns 21
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Readmission to EMAS

- Young Adult May Re-enter until 21 with a Qualifying Activity
- Requires New Extended Adoption Assistance Agreement

Ongoing Program Eligibility Requirements

- To remain in EMAS, young adults must continue to participate in at least one qualifying activity. They can switch activities at any time.
- It is the family's responsibility to notify the Department or CBC of any change in circumstances, including moving out of state, within 48 hours of the change.
 - It is the CBC's responsibility to let families know about this requirement.



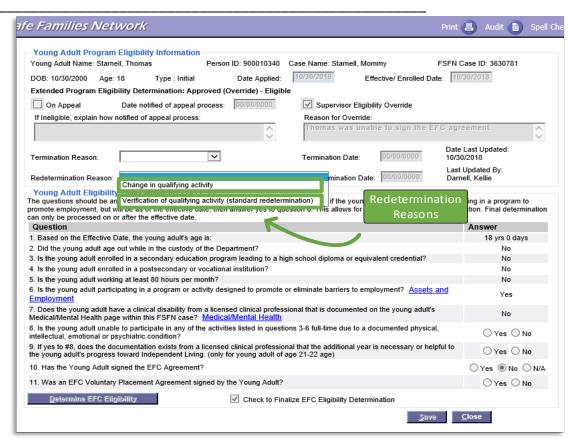
Re-Determination



- Re-determination of the young adult's participation in a qualifying activity must be completed by the Child Welfare Professional every six months or upon learning of a change.
- Re-determination is uploaded into FSFN.

Re-Determination Timeframes

- Written notification requesting proof of continued participation in a qualifying activity is sent to the adoptive parent/young adult 45 days prior to the six month re-determination period.
- Upon receipt of documentation, evaluate for re-determination.
 - Documentation is considered current only if the young adult was engaging in a qualifying activity within 30 days of re-determination.
- Documentation of participation in a qualifying activity must be received no later than 30 days after the six month re-determination period.



Young Adult Program Eligibility - Redetermination Reasons

Process for Termination When Qualifying Activity Is Not Received

- If documentation of the qualifying activity is not received:
 - Program eligibility status is ineligible.
 - Adoption subsidy payments are retained.
 - Written notification to Regional DCF staff is made to initiate the Chapter 120 denial process.

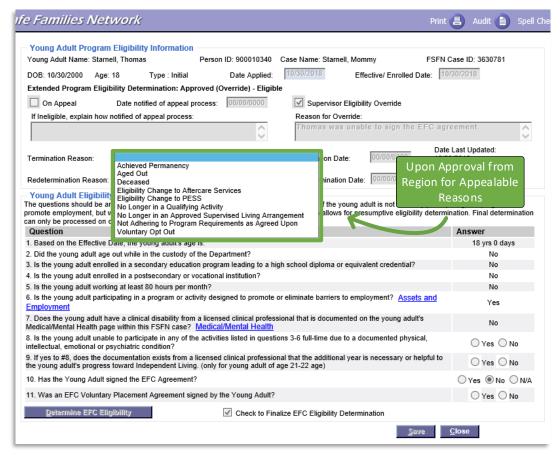


- If the Department prevails in the Chapter 120 denial process, the young adult's program eligibility remains ineligible, Medicaid ends, and EAAA is terminated.
- If the Department does not prevail, a new EAAA is not needed, appeal is unchecked, and a new YAPE page is created to show the young adult is eligible, and service starts with backdate.

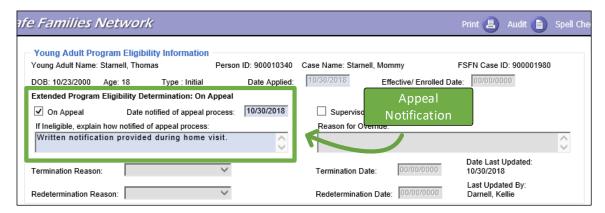
Other Program Termination Reason

- Young adult turns 21.
- · Adoptive parent and young adult voluntarily opt out.
- Adoptive parent or young adult is deceased.
- · Young adult is no longer receiving support from adoptive parent.





Young Adult Program Eligibility - Termination Reasons



Young Adult Program Eligibility – Appeal

Readmission

- Adoptive parent(s) and the young adult can re-enter EMAS until the young adult reaches 21 if they provide documentation to support that the young adult meets one of the qualifying activities.
- A new, completed EAAA is required at the time of readmission.

Negotiation the Subsidy

Negotiation and the process to request enhanced subsidy remain the same.



Implementation Considerations

Implementation for Existing Population



- If an adoptive parent entered into an AAA when the youth was 16 or 17 and he/she has not yet reached the age of 21, the family is eligible for an EMAS.
- Families will be contacted to be made aware of this new policy.

Resources

- **EFC/EMAS Project Site:** http://www.centerforchildwelfare.org/il_efc.shtml
- FSFN How Do I Guides and User Guides: http://centerforchildwelfare.fmhi.usf.edu/FSFNAll.shtml#Howdol
- **Questions:** Valerie.Proctor@myflfamilies.com