



# Foster Parent Adoption Overview

Child Welfare Oversight and Advisory Committee

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## Adoption Services Branch

- The DCBS Adoption Services Branch is responsible for:
  - Receiving all adoption petitions;
  - Assigning relative adoptions to the local DCBS office for completion of the court report;
  - Reviewing and presenting non-relative independent adoptions to the DCBS Commissioner's Office for approval;
  - Administering the Kentucky Adoption Profile Exchange (KAPE);
  - Administering the Putative Father Registry;
  - Adoption Disruption Specialist consulting with regions and being the point of contact for post adoption placement stabilization services; and
  - Administering adult adoptee searches and non-identifying information requests.
- The purpose of this presentation is to focus on the foster parent adoption process.

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## Children in Out of Home Care

- 9,170 children are in out of home care (OOHC) (July 2021 Foster Care FACTS).
- Currently, 3,159 children have the goal of adoption, 1,615 are legally available for adoption, and 983 are in the process of being adopted by their foster parents.
- Children who are legally available for adoption have a completed termination of parental rights (TPR).

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## Involuntary and Voluntary TPR Data

- In some cases, a parent may desire to voluntarily terminate their parental rights.
- Factors impacting voluntary vs. involuntary include the parent's mental health or functioning level, only one parent wishing to voluntarily terminate, uncertain paternity, extenuating circumstances, etc.

Length of Stay in State Custody by Type of TPR (in Months)	2019		2020	
	Mean	Median	Mean	Median
Voluntary Termination of Parental Rights Granted	34.14	31.57	33.0	29.9
Involuntary Termination of Parental Rights Granted	35.83	33.54	34.5	32.2

Source(s): RR#9994149

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## Adoption Process

- Once the TPR judgment is entered, regardless of voluntary or involuntary TPR, the adoption process is the same.
- The first step includes DCBS completing a presentation summary packet within 10 working days.
- KRS 620.180 requires a copy of the presentation summary be filed with the court within 30 working days.
- The purpose of the presentation summary packet is to provide adoptive parents with information about the child prior to their entry into OOHC, (information about biological family, placement history, current needs, etc.).

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## Presentation Summary Packet

- The presentation summary packet includes a narrative, medical history, and other pertinent information regarding the child and the birth family.
- Records and some forms are waived if:
  - The child has maintained the same foster home placement for twelve (12) months or longer and the foster parent is adopting the child;
  - The child is less than twelve (12) months of age, has maintained the same foster home placement, and the foster parent is adopting the child.
- DCBS obtains a consent/refusal from the biological parent to inspect adoption records by the adult adoptee once they reach age 21.
- DCBS assesses biological sibling separation issues.
- If not already completed, the foster family signs the Intent to Adopt.
- Recruitment and certification (R&C) staff shares the redacted presentation summary packet with the adoptive family, reviews the child's history and current needs, and discusses subsidy.
- Private child placing homes transfer to DCBS as adoptive homes in order to finalize the adoption as DCBS is the Title IV-E administering agency.

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## Who Qualifies for Adoption Subsidy?

- Many children in OOHC are considered special needs and are eligible for an adoption subsidy. The subsidy packet consists of the Adoptive Placement Agreement and the Adoption Assistance Agreements.
- Children must meet one of the below special needs criteria:
  - Has a physical or mental disability;
  - Has an emotional or behavioral disorder;
  - Has a recognized risk of physical, mental, or emotional disorder;
  - Is a member of a sibling group in which the siblings are placed together;
  - Has had a previous adoption disruption or multiple placements;
  - Is a member of a racial or ethnic minority and is two years old or older;
  - Is age seven or older.
- KRS 199.555(1) establishes the special needs criteria.

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## Subsidy Consists of Three Components

- **Non-recurring fees**  
CHFS pays up to \$1,000 per child in non-recurring fees, which may include costs associated with a foster parent adoption (i.e. filing, attorney, and GAL fees). The adoptive family is responsible for additional costs.
- **Monthly maintenance**  
The dollar amount that will be received by the adoptive family each month. This money is intended to meet the needs of the child being adopted.
- **Extraordinary medical**  
Specific items or services not covered by private insurance or Medicaid.

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## Other Benefits Available to Adoptive Families/Children

- Medicaid - medical card
- Adoption tax credit
- Tuition waiver - tuition fees for any public college/university located in KY waived for any child adopted from DCBS with special needs
- Educational Training Voucher (ETV) - available for children who were adopted from DCBS when they were 16 years of age or older



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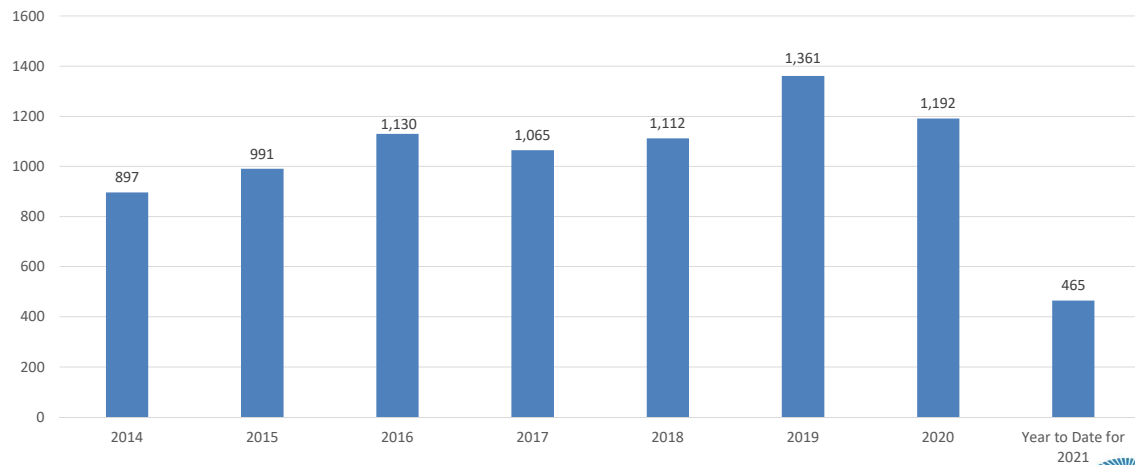
## Petition and Adoption Finalization

- Once subsidy is approved, the adoption petition is filed. The petition is filed by the adoptive family's attorney.
- DCBS R&C staff complete a court report and a Consent to Adoption. KRS 199.510 requires the cabinet to file the court report no later than 90 days after adoptive placement or filing the adoption petition.
- The court appoints a Guardian Ad Litem (GAL) who is responsible for completing a court report with the 90 day timeframe as well.
- An adoption hearing is held and the judgment must be entered into the record.
- The timeframe for finalization is dependent upon the attorneys involved and the availability of court dates.

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## Finalized Adoptions



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## Post Adoptive Placement Stabilization Services (PAPSS)

- In 2019 the Adoption Services Branch established a position to focus on families who may be at risk of an adoption disruption. This specialist is the statewide point of contact for PAPSS.
- PAPSS is an optional and supportive service offered to adoptive parents on a voluntary basis. Adoptive parents may request services if the placement is close to disruption.
- Some conditions must be met in order to qualify for PAPSS:
  - The family must have exhausted in-home services and therapies;
  - The child must be leveled through Children's Review Program and must be leveled a 4 or 5;
  - Parents must be willing to participate in the child's treatment while placed in residential care and be willing to work towards the child's return home;
  - The family's subsidy will be reduced during the PAPSS placement.

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## Post Adoptive Placement Stabilization Services (PAPSS) (continued)

- PAPSS cannot extend beyond 90 days per 12 month period.
- During the PAPSS period, adoptive parents retain custody of their child.
- After 90 days, if the child requires continued treatment, voluntary commitment to the cabinet is pursued.

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## PAPSS Data/Process Changes

- In 2020, 14 PAPSS cases were identified.
- So far in 2021, 23 cases have been identified. Since the launch of Aetna SKY, DCBS has established communications with Aetna and cases are being identified more readily.
- DCBS has completed policy updates to provide more guidance and consistency statewide regarding the PAPSS process.
- DCBS is implementing measures to monitor and track adoption disruptions.

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## Kentucky Adoption Profile Exchange (KAPE)

- The KAPE program began in 1979 and was formerly known as SNAP (Special Needs Adoption Program).
- KAPE was developed in response to the increasing number of children who were spending too long in foster care without a permanent adoptive home.
- KAPE seeks to identify adoptive families for children who are legally available for adoption and do not have an identified adoptive home.
- Currently, there are 632 children who are legally available for adoption without an identified adoptive home.

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## KAPE Tools and Resources

- In late 2020, work began on the development of a partner site with Adoptuskids. The partner site launched on April 19, 2021.
- This has allowed for a streamlined process of placing children on the websites, closer monitoring of the children's statuses, and more efficient tracking of child specific adoption inquiries.
- A KAPE web-based training available to all DCBS staff has been developed with the support of Eastern Kentucky University.
- The training provides information on updates as well as the roles and responsibilities of workers, specialists, and other staff. The goal is that more children will be referred to KAPE.
- <https://adoptuskids.org/states/ky/index.aspx>

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## Successes Related to Permanency

- Presentation summary packets are being completed more timely and the number of pending presentation summary packets has decreased.
- E-filing of TPR petitions has been very helpful.
- Collaboration with Administrative Office of the Courts (AOC)
  - DCBS and AOC have developed a standing communication plan. The purpose of this plan is to share data, communicate case concerns, and problem solve through collaboration;
  - An ongoing cross training series of webinars has been initiated and will continue through the end of the year;
  - Regular meetings are held with the Judicial Engagement Workgroup.

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## Trends and Barriers Related to Permanency

- The number of TPR appeals and the amount of time it takes to resolve the appeal is lengthy.
- The front line reports difficulty obtaining court dates and goal changes at court.
- DCBS staff turnover and vacancies are a barrier.
- The pandemic resulted in fewer contested TPR hearings being held. There is an increased number of pending TPRs at this time.
- During the pandemic, there was difficulty obtaining social security cards, which are required for the presentation summary packet and caused delays.

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# Questions?



For questions or information related to this presentation,  
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