

LEGISLATIVE RESEARCH UNIT

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March 23, 2007

ADOPTION ASSISTANCE NOTIFICATION REQUIREMENTS

asked whether Illinois requires adoption agencies to notify adoptive parents about state adoption assistance programs. Parents adopting through the Illinois Department of Children and Family Services (DCFS) are required to be notified of adoption assistance provided by DCFS; but parents adopting privately are not. We describe our findings below.

Illinois Laws and Regulations

DCFS provides adoption assistance to some special-needs children who meet specific criteria. Such assistance includes monthly payments for a child's needs, payments for other approved expenses, Medicaid coverage, day care, respite care, college scholarships, and payments to adopted youth to make the transition to adulthood.¹ Since adoption assistance is partly funded by the federal government, a spokeswoman for DCFS said that its adoption assistance policies are guided by the federal Administration for Children and Families (ACF).² The ACF Child Welfare Policy Manual says that parents who adopt children through a state's public child welfare system must be notified of the availability of adoption assistance. If parents adopt a child who is not the responsibility of the state, or the state is unaware of the adoption of a potential special-needs child, the adoptive parents are responsible for seeking adoption assistance.³

A DCFS regulation reflects the ACF policy, saying that DCFS is to notify prospective adoptive parents of the availability and types of adoption assistance it offers.⁴ The DCFS spokeswoman said that both DCFS and adoption agencies with whom it contracts are subject to the requirement, but that adoption agencies handling private adoptions are not.⁵

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We searched the laws and regulations of Illinois for any requirement that adoption agencies tell adoptive parents about adoption assistance programs, but found none.⁶ The DCFS spokeswoman was also unaware of any such laws or regulations.⁷

Options for Amending the Law

Illinois law could be amended to require all adoption agencies to inform adoptive parents about assistance programs. Section 7.4 of the Child Care Act of 1969 requires child welfare agencies (public or private facilities that arrange for foster care or adoptions⁸) to provide to clients information on their policies and practices, fees, rights and responsibilities of clients, and the child's history.⁹ That section could be amended to require that child welfare agencies also tell adoptive parents about state adoption assistance programs.

Section 7.5 of the Act requires that child welfare agencies that provide adoption services also provide prospective adoptive parents with training, to include counseling and guidance to promote a successful adoption.¹⁰ That is another section that could be amended, adding a requirement of notification of adoption assistance as part of the training.

We hope this information is helpful.

Sincerely,



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Notes

1. 89 Ill. Adm. Code sec. 302.310.
2. Telephone conversation with June Dorn, Foster Care Services, Department of Children and Family Services, Chicago, Mar. 20, 2007.
3. U.S. Department of Health and Human Services, Administration for Children and Families, Child Welfare Policy Manual (downloaded Mar. 20, 2007 from Administration for Children and Families Internet site), sec. 8.2E.
4. 89 Ill. Adm. Code subsec. 302.310(a)(1)(D).
5. June Dorn conversation.
6. We searched a Lexis database of Illinois laws and regulations for "child welfare agenc__" or "adoption" or "adoptive" in the same section as "information" or "resource__" or "assistance." We also searched West's printed index to Illinois laws under the heading "Adoption of Children."

7. June Dorn conversation.
8. 225 ILCS 10/2.08.
9. 225 ILCS 10/7.4.
10. 225 ILCS 10/7.5.