



Frequently Asked Questions...

...Regarding Adoption Subsidies

1(a). When are Annual Subsidy Agreements sent out?

Annual contact is made in different months according to the family's last name. If a family has different last names, it is the name of the person that subsidy checks are made payable to. Annual contact is made for families with the last names beginning with A – F in January, G - Maz in April, Mc – Sat in July, and Sc – Z in October.

1(b). How do I have my adoption subsidy deposited into my bank account?

To request to have the adoption subsidy deposited electronically, you must fill out an authorization form, which can be obtained at the local CYFD field office or the Central Adoptions Unit. This form is titled Authorization Agreement For Direct Deposit/Payment Method.

1(c). When are checks mailed out or deposited to my account?

The date on which checks are released is **different each month** and is determined by the Department of Finance. Checks are released between the 2nd and 6th day of each month. If you do not receive your check in the mail, you must wait 30 days from the date the check was issued to request a warrant for a replacement check. In the event you do not receive your check within 30 days, please contact the Adoption Support Supervisor at 505-827-8413. The Children, Youth and Families Department suggests using direct deposit to ensure timely payment.

1(d). When does the subsidy end?

The adoption subsidy is terminated at age 18. If the child is **certified medically fragile** by the NM Department of Health, the subsidy may be extended to age 21. If you think that your child qualifies and has not been certified by the Department of Health as medically fragile, you may contact a placement worker in your area or the Department of Health at 505-827-2582.

1(e). Is it ever possible for the amount of the adoption subsidy to be adjusted/increased? If so, under what circumstance can this occur?

Yes. Adoptive parents can request a change in the adoption assistance agreement at the time of the annual review if there is a change in the circumstances of the family or the needs of a child. The Adoption Support Unit makes annual contact with families, and it is at that time that you have the opportunity to request a modification of the agreement. You must submit a written request for modification of the agreement to the Adoption Support Supervisor and substantiate the need for the increase or adjustment. Documentation supporting the change in family circumstances or increased/decreased needs of the child must be included. The source of the required documentation depends upon the current needs of the child. The Adoption Support Unit can

assist you with this process. Please note that the request for change in the assistance maintenance payment cannot exceed the maximum amount the child would have been eligible for in foster care.

1(f). If my request for an increase in the adoption subsidy is denied, can I appeal the decision or request a reconsideration?

Yes. You can appeal a decision you disagree with regarding adoption assistance benefits. The request must be in writing and addressed to the Adoption Support Supervisor at the address provided below. The appeal will be forwarded to the CYFD Office of General Counsel and a hearing officer will be appointed. The hearing officer will notify you of the date, time and location of the hearing.

Send requests for changes to an adoption assistance agreement to the following address:

CYFD, Protective Services
Adoption Support Unit
Attn: Jason DeHerrera
P.O. Drawer 5160
Santa Fe, NM 87502

1(g). If my family moves out of state, what happens to the adoption subsidy and what can be done to ensure that Medicaid coverage can be put into place in the new home state?

The adoption subsidy follows the child no matter where the family resides. If you plan to move, you must submit, in writing, the change of address to the Adoption Support Unit. Once the change of address is received, the adoption unit will request that the new state provide Medicaid for the child if the child qualifies for Medicaid through NM adoption assistance. It is recommended that you provide this information as quickly as possible, as it can take several weeks to set up Medicaid in a new state.

1(h). If my child is receiving SSI, can he or she also receive an adoption subsidy? If not, what should be done to ensure that I am receiving the appropriate subsidy?

After finalization of the adoption, you should apply to the Social Security Administration to become the payee for the child's benefits, whether or not you qualify is based on the child being disabled and the family having limited resources. Most often the family will not qualify for SSI benefits because the family earns more than the federal income limit. A family cannot receive both SSI benefits and adoption subsidy because they are both federally funded programs. You should discuss this possibility with your adoption worker while negotiating the subsidy. You should consult with the Social Security Administration before making a final decision.

1(i). In the event of death of an adoptive parent resulting in physical custody of the adopted child being moved to a relative's home (in or out of the same state in which the adoptive family lived), how is the adoption subsidy affected?

Under the 1997 amendments to Adoption and Safe Families Act (ASFA), a special needs child adopted on or after October 1, 1997 will continue to be eligible for adoption assistance payments if the adoptive parent(s) die(s). The child's eligibility for assistance payments, which is based on the biological parents' income at the time the child comes into CYFD custody, need not be reestablished in the subsequent adoption by a relative. The only determination that the state must make prior to finalizing the subsequent adoption is that the child is a child with "special needs" under the statute.

It is recommended that at the time of the adoption the adoptive parents identify a relative or other person who may serve as a subsequent adoptive placement for the child if the adoptive parent were to die, and notify CYFD of the designated person and contact information for that person. The adoptive parent should also add a clause in his or her will, setting forth the intent that the designated person receive the subsidy payments, including CYFD contact information for the Adoption Support Manager, in order to make it easier for the subsequent adoptive parent to formalize the arrangements.

Upon the death of an adoptive parent, the subsequent adopting parent may take custody of the child. However, that prospective parent would need to be CYFD-licensed prior to receiving the subsidy. If licensed at the time of assuming custody, the adopting parent should enter into the subsidy agreement with CYFD as soon as possible to assure that the payments continue with minimal interruption. The adopting parent should also seek the assistance of an attorney to begin legal proceedings for the adoption. The subsidy may begin prior to the legal adoption, but not until CYFD and the adopting parents have signed the subsidy agreement.

...Regarding Medicaid and other Supports/Certificates

2(a). What do I do to change the name on my child's social security card, get a new birth certificate and Medicaid card?


For children eligible for Medicaid, a new Medicaid card will be requested by CYFD and mailed to you approximately two months after finalization. To obtain a new Social Security card, you must apply to the Social Security Administration with your child's new name. It is important to take all legal documents with you to the Social Security office. The adoption attorney will make arrangements for a new birth certificate. Reimbursement for payment for the birth certificate is included in the legal fees paid by the Department.

2(b). What do I do if I lose or misplace my child's Medicaid card? Or am having problems with my child's Medicaid?

When an adoption finalizes, CYFD will request a new Medicaid card with the child's new name. You will receive it within two months after finalization. If the card is lost or misplaced, you may call the Medicaid Eligibility Help Desk at 1-800-705-4452 to request a new card. Once the initial card has been ordered, Medicaid will not allow CYFD to order another card on the family's behalf. If you are having difficulty with Medicaid, please call the Adoption Support Supervisor at 505-827-8413 for help in resolving the problem.

2(c). When does Medicaid end?

Medicaid terminates at age 18, unless the child is scheduled to graduate from high school after age 18 but before age 19. Medicaid can be continued until graduation from high school, but no longer than age 19. Proof of scheduled graduation date must be provided to the Adoption Support Unit prior to the child's 18th birthday to avoid loss of Medicaid benefits.



2(d). How do I obtain a special needs certificate for tax purposes?

You may contact the Adoption Support Unit, which will mail or email the application form to you. Upon return of the completed form, the Adoption Support Unit will prepare a special needs certificate. You will receive the certificate in the mail within two weeks.



...Regarding the DD Waiver

3(a). How do know if my child qualifies for the DD Waiver?

To qualify for DD (Developmental Disability) Waiver Services, the child must:

1. Have mental retardation or a specific related condition; and
2. Have a developmental disability that began prior to age 22; and
3. Need a combination of specialized interdisciplinary services that are lifelong or of extended duration and individually planned; and
4. Meet financial and medical criteria for care in an Intermediate Care Facility (ICF).

If your child meets the requirements for the DD Waiver, apply at your local Income Support Division (ISD) Office, or for assistance, contact:

The ARC of New Mexico

This agency offers assistance with application and information about Developmental Disability Waiver Services. \ It directs individuals to services and programs for adults, families and children. \ It assesses for eligibility for benefits, the need for and alternative to guardianship, trusts and future planning, self-advocacy, self-direction and self-determination. It provides advocacy, information and referral services for a range of topics related to developmental disabilities, as well as assistance with guardianship and with the criminal justice system.

Contact: 800-358-6493 or 505-883-4630, or www.arcnm.org

3(b). If my child is on the DD waiver list, what steps do I need to take after the adoption finalizes?

If your adopted child was already on the DD waiver list before adoption finalization, contact your ISD office to change the contact information for your child. This will ensure that you, and not CYFD, will be notified when your child's name comes up on the list.



...Regarding Support Services and Resources

4(a). How can an adoptive family secure services after the adoption finalization, i.e. respite care, therapy, support group?

CYFD may provide post-adoption services to adoptive families solely for the purpose of preserving and supporting the family. After the adoption is finalized, the family may continue to contact their local CYFD placement staff for assistance. CYFD may provide services and/or act as a referral source for the family.

State funds are used to provide for needed post adoption services not covered under the state Medicaid program. Local placement services social workers are available to adoptive families to

discuss resources and have information regarding process, eligibility, availability and duration of services (such as residential treatment, group home placement, and other mental health services).

Adoption assistance does not pay for respite care, but there are contractor organizations that do offer a variety of respite options. Many private organizations offer a variety of respite care services.

- See the ARCH National Respite Network Respite Locator Service, search state by state to locate New Mexico's respite programs, link: <http://www.respitelocator.org>
- See also the New Mexico Children's Medical Services Home Project for children with special health care needs links: www.health.state.nm.us/phd/medhome2/firstpage.htm and <http://www.health.state.nm.us/phd/medhome2/about%20Us.htm>

Public mental health services for children in New Mexico are administered by the Human Services Department (HSD), Medical Assistance Division (MAD) and Behavioral Health Services Division (BHSD), and includes the following: physician services, hospital services, psychological and psychiatric services (out-patient counseling, in-patient treatment, residential treatment care, case management and drug services).

- Contact: Behavioral Health Services Division at the Harold Runnels Building, 1190 St. Francis Drive, Room North 3300, Santa Fe, NM 87505
<http://www.state.nm.us/hsd/bhdwg> 505-827-2601 or 800-362-2013
- See also: Department of Health and Human Services (DHHS), Substance Abuse and Mental Health Services Administration's (SAMHSA) National Mental Health Information Center for New Mexico Resources
<http://www.mentalhealth.samsha.gov/publications/allpubs/stateresourceguides/NewMexico01.as> General info line: 505-827-3100 Client Services Bureau: 888-997-2583

4(b). Does the state provide extra finances or services for medical or therapeutic needs not covered under Medicaid to children receiving adoption assistance?

The State offers a Medical Subsidy. Funding is available to cover a child's pre-existing medical conditions that are not covered by the adoptive family's private medical insurance or by Medicaid. New Mexico also offers a program known as Psychological, Occupational, Physical and Speech Therapy Subsidies. Funding is available only if the adoptive family's private medical insurance or Medicaid does not cover the needed therapy for a pre-existing condition. Adoptive families must secure prior written substantiation for the need for treatment from therapists. Parents must receive and submit reports documenting the child's progress, and semi-annual re-evaluations of the child's condition are required. Medical subsidy does not cover insurance co-payments, including co-payments for psychological care, deductibles, routine medical care, medical supplies such as non-prescription medication (aspirin, etc.), bandages or prescription co-payments.

Note that not all services may be available in all cases. Contact your local placement services social worker for information regarding process, eligibility, availability and duration of services.

4(c). How are pre-existing medical and psychological issues identified and how do I address these costs?

Pre-existing medical and psychological issues are identified during the subsidy negotiation process by medical and psychological reports on the child. These issues should be noted in the subsidy request from the placement worker to the Adoption Support Supervisor. After finalization any condition that qualifies as pre-existing will be paid by the Adoption Support Unit once private

insurance options have been exhausted. Please consult with your placement worker to ensure that pre-existing conditions are identified.

4(d). My child has been placed outside of the home. Who do I need to report this to?

You are required to report changes in placement to the Adoption Support Supervisor within 30 days of the change in placement. This includes when your child is placed in an RTC, group home or acute care. You may still continue to receive adoption subsidy as long as you continue to provide financial support to your child. Failure to report changes in placement may result in termination of adoption assistance.

4(e). Is there a ready resource available to adoptive families about issues of abuse and neglect and their effect on child development?

There are a number of sources for information about issues of abuse and neglect in children. Some nationally recognized sources of information may be found at:

[Child Welfare Information Gateway
www.childwelfare.gov](http://www.childwelfare.gov)

[The Children's Bureau Frequently Requested Information on Abuse and Neglect
http://www.acf.hhs.gov/programs/cb/fri/index.htm#can](http://www.acf.hhs.gov/programs/cb/fri/index.htm#can)

The [North American Council on Adoptable Children](http://www.nacac.org/resources_links.html) is a resource that provides links to organizations specializing in various issues and disorders in abused and neglected children, which can be found at:
http://www.nacac.org/resources_links.html

The Impact of Abuse and Neglect on the Developing Brain.
<http://www.childtrauma.org/ctamaterials/AbuseBrain.asp>

Issues in Adoption and Foster Care.
<http://www.adopting.org/adoptions/issues-in-adoption-and-foster-care.html>

Family Resource Center's Effects of Child Abuse
<http://frcmo.org/effects-of-child-abuse.htm>

The Newly Recognized, Shattering Effects of Child Abuse
<http://www.cirp.org/library/psych/miller1/>

Long-Term Consequences on Child Abuse and Neglect
http://www.childwelfare.gov/pubs/factsheets/long_term_consequences.cfm

Post-Legal Adoption Services for Children with Special Needs and their Families: Challenges and Lessons Learned.
http://www.childwelfare.gov/pubs/h_postlegal/index.cfm





...Regarding Adoption Records

5(a). Is it ever possible for the adopted child to review his or her adoption file? At what age and under what circumstances?

An **adult adoptee (over 18)**, the biological parent of the adoptee, the biological sibling of the adoptee, or adoptive parent of a minor adoptee may request **non-identifying information** from CYFD **without** a court order. Non-identifying-information is limited to the following:

1. The health and medical history of the adoptee's birth parents;
2. The health and medical history of the adoptee;
3. The adoptee's general family background, including ancestral information, without name references or geographical designations;
4. Physical descriptions; and
5. The placement history of the adoptee prior to the adoption.

Contact CYFD Protective Services central office for information on how to request records at 505-827-8400.

Non-Identifying Information

When CYFD receives a **request** for non-identifying information, the person designated to respond sends the Closed Record Inquiry and the Waiver of Confidentiality forms to the person making the request for information. The requester signs the forms before a notary public and sends them back to CYFD. Upon receipt of the notarized forms, CYFD staff researches the record and collects the allowable non-identifying information. General information is provided in writing. The signed forms are placed in the adoptee's record for reference in case identifying information is requested by another person eligible under law to receive that information.

Identifying Information

If the adult adoptee, biological parent, or sibling of the adult adoptee requests identifying information from the adoption record, such information may be released to the person requesting it if the person whose identity is being sought has stated their consent and approval and completed a signed and notarized Waiver of Confidentiality form, which is contained in the case record. This form states in writing that he/she is willing to have his/her identity revealed.

If the file does not have such a release of identifying information, the person requesting the information may wish to petition the district court for an order to open the closed adoption record and release the identifying information sought to a confidential intermediary. The court may appoint a confidential intermediary to contact the person whose identity is sought and get permission to have his/her identity revealed. CYFD staff provides copies of the adoption record with all identifying information to the intermediary upon receipt of a court order. If the person is willing to have his/her identity revealed, the confidential intermediary makes arrangements for identifying information to be shared with the person requesting the information and the person being searched for and notifies the court of the final outcome. CYFD does not act as an intermediary or conduct searches for biological family members, but can provide a list of CYFD certified confidential mediaries.

CYFD is responsible for assisting adult adoptees with tribal registration who are, or who believe they are of Native American heritage. CYFD works directly with the designated tribe to provide identifying information required by the tribe to establish eligibility for tribal enrollment. Identifying information is not released directly to the adult adoptee, but the adoptee is notified in writing of the efforts by CYFD to work with the tribe in establishing tribal enrollment eligibility.

See www.cyfd.org or www.identity.net for more information on CYFD certified confidential intermediaries.



...Regarding Education

6(a). Is there a web site or contact where adoptive families can secure general information about grants, scholarships and general educational opportunities that may be available for children who are adopted?

The New Mexico ETV Program: <http://www.cyfd.org/indeliving.htm>

For youth 18-23 who aged out of foster care system at age 18 or were adopted from foster care with adoption finalization after 16th birthday --

Contact:

Maya McKnight

Protective Services

New Mexico CYFD

Maya.McKnight@state.nm.us

505-827-8433

Financial Aid and Scholarships from the New Mexico Higher Education Department:

<http://fin.hed.state.nm.us/content.asp?CustComKey=194818&CategoryKey=194819&pn=Page&DomName=fin.hed.state.nm.us>

Lottery Success Scholarship

-tuition only for NM public college or university, renewable for 8 semesters

-New Mexico residents

-enrolled full time, 12 credits hours and maintain 2.5 GPA

-to apply, contact Financial Aid Office at local university and submit FAFSA

Legislative Endowment Scholarship

-tuition for public post-secondary ed

-New Mexico resident

-enroll at least half time

-4 year schools award up to \$2500 per year

-2 year schools award up to \$1000 per year

-demonstrate financial need

-to apply, contact Financial Aid Office at local university and submit FAFSA

College Affordability Grant

- for NM residents who don't qualify for other grants

- max \$1000 per semester

-demonstrate financial need

-may not receive any other state grants/scholarships

-enrolled at least half time

-to apply, contact Financial Aid Office at local university and submit FAFSA

New Mexico Student Incentive Grant

- for NM residents and US citizens who are attending the following public colleges or universities: College of Santa Fe, St. John's College, College of the Southwest, Institute of American Indian Arts, Crownpoint Institute of Technology, Dine College, Southwestern Indian Polytechnic Institute

- \$200-\$2500 per year

-demonstrate financial need

-enrolled at least half time

-to apply, contact Financial Aid Office at local university and submit FAFSA

Other scholarship opportunities:

National Foster Parent Association:

<http://www.nfpainc.org/awards/youthScholarships.cfm?page=6>

Youth Scholarships for Foster Youth

-For birth and adopted youth in foster homes

-applications mailed to:

NFPA Scholarship Committee

National Foster Parent Association

7512 Stanich Ave., #6

Gig Harbor, WA 98335

Orphan Foundation of America

Casey Family Scholars Scholarship: <http://www.jimcaseyyouth.org/docs/scholarships.pdf>

-must have spent at least 12 months in foster care at the time of 18th birthday

-OR must have been adopted after their 16th birthday

-awards up to \$10000 based on satisfactory progress and financial need

-for pursuit of post-secondary education