6-003.01 LEGAL BASIS

Subsidized adoption payments may be made:

- Using state funds as provided by Neb. Rev. Stat. §§ 43-117 and 43-118; or
- Through Title IV-E of the Social Security Act, Federal Payments for Foster Care and Adoption Assistance. (This requires a state match.)

6-003.02 ESTABLISHING ELIGIBILITY

6-003.02A CRITERIA FOR SUBSIDY

A subsidized adoption will be considered based on:

1. The child's eligibility,
2. Efforts to place without subsidy,
3. The family's needs for subsidy.

1. Child's Eligibility

Eligibility for reimbursement is determined by the needs of the child, not the income and resources of the parent(s). In order for the adoptive parent(s) to receive reimbursement, the child must meet the following special needs criteria:

a. The child cannot or should not be returned to the legal biological parent(s) and one of the following criteria:
b. Except where it would be against the best interests of the child, a reasonable but unsuccessful effort has been made to place the child without providing adoption assistance;
c. The child is considered to be a child with special needs and cannot be placed without assistance based on the following:
   (1) Age (if age is the only special need, children age seven or younger generally are not considered eligible);
   (2) Membership in a sibling group of three or more to be placed together;
   (3) Behavioral, emotional, physical or mental disability; and
   (4) Membership in a minority race (race by itself is not sufficient to make a child eligible for subsidy).

Eligibility for State Subsidy

A child eligible for state subsidy must:
a. ~~m~~Meet the criteria above and be a ward of the Department at the time the adoption petition is filed; or
b. Be a child for whom the person adopting has a valid state subsidized guardianship agreement with the Department at the time of finalization of the adoption.