

NUMBER

#18-68-11

DATE

July 18, 2018

OF INTEREST TO

County and Tribal Directors

County Social Services
Supervisors and Staff

Tribal Social Services Staff

Private Agency Social Services
Staff

ACTION/DUE DATE

Read information and prepare
for implementation

EXPIRATION DATE

July 18, 2020

Federal Law Delays Phase-in Requirements for Title IV-E Northstar Adoption Assistance

TOPIC

The Bipartisan Budget Act of 2018 and phase-in of applicable child eligibility requirements for Title IV-E Northstar Adoption Assistance.

PURPOSE

Provide direction to local child-placing and social services agencies on submitting applications for Title IV-E Northstar Adoption Assistance on behalf of children ages birth-1.

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SIGNED

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Children and Family Services Administration

TERMINOLOGY NOTICE

The terminology used to describe people we serve has changed over time. The Minnesota Department of Human Services (DHS) supports the use of "People First" language.

I. Background

On February 9, 2018, the federal Bipartisan Budget Act of 2018 was signed into law, becoming Public Law Number 115-123. On April 12, 2018, the Children's Bureau issued an Information Memorandum [ACYF-CB-IM-18-02] providing information on child welfare components of the law. Further guidance was issued on July 9, 2018, via Program Instruction [ACYF-CB-PI-18-07].

This bulletin is regarding only Part VIII of Title VII of the Bipartisan Budget Act, which delays the effective date for children ages birth-1 to be considered applicable for purposes of establishing eligibility for Title IV-E Northstar Adoption Assistance. Eligibility criteria for Title IV-E Northstar Adoption Assistance is different for applicable and non-applicable children.

II. Applicable Age Modified

Effective January 1, 2018, the applicable age for establishing Title IV-E Northstar Adoption Assistance eligibility changed. A child is considered applicable if they reach the applicable age by the end of the federal fiscal year (FFY) in which they have a Title IV-E Northstar Adoption Assistance benefit agreement entered into on their behalf. Federal fiscal years run from October 1 through September 30.

Minnesota's Social Services Information System (SSIS) will calculate a child's status as applicable or non-applicable based on the date the Northstar Adoption Assistance eligibility determination is created and the FFY associated with that date.

A. Applicable Age for Federal Fiscal Years

1. FFY 2017 through 2023

Between October 1, 2016 and September 30, 2023, the applicable age for each FFY is 2. A child is considered applicable if they reach at least age 2 by the end of the FFY in which their benefit agreement is entered into. For example, for a child to be considered applicable during FFY 2018, they must be at least age 2 by September 30, 2018.

2. FFY 2024

Between October 1, 2023 and September 30, 2024, the applicable age is 2. However, for any child for whom a Title IV-E Northstar Adoption Assistance benefit agreement is entered into on or after July 1, 2024, any age is applicable.

3. FFY 2025 and thereafter

Effective October 1, 2024, all children will be considered applicable for purposes of establishing Title IV-E Northstar Adoption Assistance eligibility.

B. Applicable Child Status Through Sibling Placement

A child who does not meet the applicable age requirements may still be considered applicable if they:

- Are a sibling of a child who is an applicable child by age or duration in foster care,
- Are placed in the same adoptive placement as that sibling, **and**
- Meets the applicable child eligibility criteria for Title IV-E Northstar Adoption Assistance.

III. Updated Procedures to Establish Title IV-E Northstar Adoption Assistance Eligibility

The Northstar Adoption Assistance eligibility determination is in SSIS. Currently, the eligibility determination reflects Title IV-E requirements that were in effect prior to January 1, 2018. Plans are underway to update the eligibility determination to reflect the change in federal law.

Until this change is made, social services agency staff should continue submitting Northstar Adoption Assistance eligibility determinations through SSIS. Minnesota Department of Human Services (department) program staff will ask for additional documentation and information to ensure non-applicable child eligibility criteria are met for children who will not reach the applicable age for the FFY in which benefit agreements are entered into on their behalf.

A. Existing Title IV-E Eligibility Reassessed for Certain Children

Children must have their Title IV-E eligibility reassessed, using non-applicable child criteria, if they:

- Will not reach the applicable age for the current FFY;
- Are not placed with their sibling who is an applicable child for the current FFY;
- Have or will have a Title IV-E Northstar Adoption Assistance benefit agreement entered into on their behalf on or after January 1, 2018; and
- Were determined eligible for Title IV-E Northstar Adoption Assistance using applicable child criteria.

The department will initiate this process. If children are determined to be eligible for Non-Title IV-E Northstar Adoption Assistance, their benefit agreements must be updated accordingly. Title IV-E may be claimed between January 1, 2018 and February 9, 2018, in these instances.

IV. Resources

The following resources may be helpful:

- [Public Law Number 115-123, the Family First Prevention Services Act: Implementation of Title IV-E Plan Requirements \(Children's Bureau Program Instruction Log No: ACYF-CB-PI-18-07\)](#)

- [NEW LEGISLATION – Public Law Number 115-123, the Family First Prevention Services Act within Division E, Title VII of the Bipartisan Budget Act of 2018 \(Children’s Bureau Information Memorandum Log No: ACYF-CB-IM-18-02\)](#)
- [Bipartisan Budget Act of 2018 \(Public Law Number 115-123\)](#)

Americans with Disabilities Act (ADA) Advisory

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