

Arlene Rike, FS Program Manager  
Authorized Signature

**Number:** SS-PT-04-015  
**Issue Date:** 07/01/2004

**Topic:** Treatment of Adoption Assistance Payments for FS

**Transmitting (check the box that best applies):**

- New Policy   
  Policy Change   
  Policy Clarification   
  Executive Letter  
 Administrative Rule   
  Manual Update   
  Other: \_\_\_\_\_

**Applies to (check all that apply):**

- |   |  |
|---|--|
| <input type="checkbox"/> All DHS employees                        | <input type="checkbox"/> County Mental Health Directors                  |
| <input checked="" type="checkbox"/> Area Agencies on Aging        | <input type="checkbox"/> Health Services                                 |
| <input checked="" type="checkbox"/> Children, Adults and Families | <input checked="" type="checkbox"/> Seniors and People with Disabilities |
| <input type="checkbox"/> County DD Program Managers               | <input type="checkbox"/> Other (please specify):                         |

Policy/Rule Title:	Adoption Assistance		
Policy/Rule Number(s):	461-145-0001	Release No:	
Effective Date:	July 1, 2004	Expiration:	
References:	Farm Bill, Section 4102; Food Stamp Act, Section 5 (d)(18)		
Web Address:			

**Discussion/Interpretation:** A change created by the passage of the Farm Bill was brought to the attention of the state by FNS when a case pulled for QC review was cited for incorrect policy as it relates to treatment of adoption assistance payments. Oregon appealed the error and lost in arbitration.

We are now required to change how adoption assistance payments are treated. The full adoption assistance payment is now counted as unearned income.

We have identified 296 Stamp households who are receiving State adoption assistance payments from Oregon. There may be other out-of-state payments that have not been identified.

**Implementation/Transition Instructions:** Local offices are to use the new policy on adoption assistance immediately for new applicants. For ongoing food stamp cases,

begin to count the adoption assistance payment when processing the next action. This will generally be at certification, recertification or when processing the 859A or 852. Do not forget to determine if the countable income (including the adoption assistance payment) is under the 185% FPL limit for the categorical eligibility determination.

To verify adoption assistance payments, ask the adoptive parent for a copy of the adoption agreement offer. Offers may be renegotiated at any time. If the client does not have a copy of the proof, contact Holly D. Rodriguez at (503) 947-5312, for verification of adoption assistance payments from Oregon. If the adoption assistance payment is issued from another state, please contact the Adoption Assistance program in that state.

Code adoption assistance payments as OTH (other) income and identify with a note "adpt asst OR" in the benefit number field (for payments issued by Oregon) or "adpt asst OS" (for payments issued by other states). Code the income on the child for which the assistance is provided.

Central office is preparing a list of food stamp households receiving adoption assistance payments as of May 31, 2004. Each SDA may request a copy of the list of households receiving these payments from any food stamp policy analyst.

Do not write an overpayment or underpayment for incorrect use of adoption assistance payments for food stamp benefits issued prior to July 1, 2004.

**Training/Communication Plan:** Review with staff in unit meetings.

**Local/Branch Action Required:** See Implementation/Transition Instructions.

**Central Office Action Required:** Revise treatment of adoption assistance payments policy located in the Food Stamp Chapter, section F.5 and in Counting Client Assets, Section B.1 for October 2004.

The temporary rule has been filed and will be effective July 1, 2004. The amended administrative rule 461-145-0001 will appear as policy in the FSM effective October 1, 2004.

**Field/Stakeholder review:**  Yes  No

**If yes, reviewed by:**

**Filing Instructions:** None.

*If you have any questions about this policy, contact:*

<b>Contact(s):</b> Anne Hilgers	(503) 945-6105
---------------------------------	----------------

	Lydia Dale	(503) 945-5826
	Rosanne Richard	(503) 945-6077
	Sandy Ambrose	(503) 945-6092

I: Anne/policy/ptadoptasst.doc