

# AAP Benefits for a Child in Temporary Out-of-Home Placement

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[Forms](#)

[Introduction](#)

[Policy](#)

[Initial AAP SW Responsibilities](#)

[Subsequent Treatment](#)

[Out of State Funding Eligibility](#)

[Role of the Adoptive Parent](#)

[Implementing AAP Benefits](#)

[References](#)

[Alignment with SET](#)

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## Forms

The following forms are referenced in this policy:

- [AAP 2](#) Payment Instructions Adoption Assistance Program
- [AAP 6](#) Adoption Assistance Program Negotiated Benefit Amount and Approval
- [AD 4320](#) Adoption Assistance Program (AAP) Agreement

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## Introduction

The Adoption Assistance Program (AAP) provides benefits to facilitate the adoption of children who otherwise would not likely be adopted. The AAP benefit is a negotiated amount based upon the needs of the child and the circumstances of the adoptive family.

In the event that a child requires out-of-home care to treat a condition that the agency has determined to have existed before the adoptive placement, County of San Diego Adoptions is responsible for confirming the amount and duration of the AAP benefit when the child is placed, in out-of-home care.

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## Policy

When a child who is currently receiving AAP benefits negotiated through the County of San Diego Adoptions Program is in need of out-of-home care, the AAP SW is responsible for determining that the out-of-home placement is necessary to meet the child's needs and that the out-of-home care facility's rate classification level is appropriate to the child's needs.

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**Initial AAP SW  
Responsibilities**

Once the Adoptive family contacts the AAP SW and the SW concludes that the child would have been placed in the same out-of-home care facility if the child had not been placed for adoption, the AAP SW will determine the following:

- Out-of-home placement is necessary to meet the child's needs,
- The specific placement is able to meet the child's needs appropriately
- The facility's rate classification level is appropriate to the child's needs
- The maximum AAP benefit for which the child is eligible for out-of-home placement
- If the adoptive parents are paying for the cost of the placement directly, the available AAP benefit is the state-approved foster care facility rate for which the child is eligible.
- If the placement cost is paid by another agency (e.g., county welfare department, probation office, regional center), the available AAP benefit shall be either the age-related, state-approved foster family home care rate or the adoptive parent's actual share of cost for support of the child, whichever is greater, but not to exceed the foster family home rate as determined under Section 35333(c).

**NOTE:** The maximum share of cost is the state-approved foster family home rate, eligible Special Care Increment (SCI) rate or dual agency rate, and any applicable supplemental rate the child would have received had they remained in foster care.

Under Title 2 California Code of Regulations Section 60020(c), the county financially responsible for making AAP payments is responsible for the provision of mental health assessments and mental health services.

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**Subsequent  
Treatment**

If the initial Adoption Assistance Program Agreement (AD 4320) for the child was signed on or after October 1, 1992, the duration of a child's placement in a group home, STRTP or residential treatment facility shall be limited to an 18-month cumulative period of time for a specific episode or incident justifying that placement.

A subsequent 18 months of out of home treatment can be considered when:

- There is a new episode or condition that occurred in the placement or adoptive home.
- The subsequent episode or condition must be different from the initial episode or condition that prompted the initial placement in out of home care.
- The definition of a new episode or condition is based on the child's specific needs, diagnosis, and behaviors and is at the discretion of the responsible public agency.
- The same documentation required for the initial approval must be provided for the subsequent 18-month approval.

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**Out of State  
Funding Eligibility**

AAP funding is available for out of state placements that are eligible for AFDC-FC payments and meet the following criteria:

- Are a 501(c)(3)  
**NOTE:** A 501(c)(3) organization is a corporation, trust, unincorporated association, or other type of organization exempt from federal income tax under section 501(c)(3) of Title 26 of the United States Code. It is the most common type of the 29 types of 501(c) **nonprofit** organizations in the US.
- Non-acute
- Not locked

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- Licensed for children under the age of 18

In order to verify the eligibility of a placement, the AAP SW will request that the parent provide copies of verification documents for AAP payments.

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**Role of the  
Adoptive Parent**

Adoptive parents are legally and financially responsible for the support of their child and therefore make all decision regarding the child's care, including choosing service providers for their child. It is the responsibility of the adoptive parent to locate a facility that can provide the services that will meet their child's needs. It is also the responsibility of the adoptive parent to actively participate in a plan to return the child to the adoptive home.

Once a parent has determined which facility can meet their child's needs, they are responsible for providing the following documentation to the AAP SW:

- Facility Program Statement
- A detailed statement of the cost of specific services being provided the child
- Verification of non-profit status
- Confirmation that the facility is not locked

**NOTE:** Adoptive parents are responsible for all communication regarding the child and specific services to be provided to the child. This communication would include payment related issues, progress reports, case plans and any other child specific details. The AAP SW only communicates with the adoptive parent regarding information regarding AAP eligibility and payment.

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**Implementing AAP  
Benefits once a  
Facility Has Been  
Approved**

After the parent has chosen the service provider for the child and provided verification documents the AAP SW, the AAP SW will complete an AAP6 and AD4320 with the adoptive parents. The AAP SW will state in the agreement that the AAP benefit is intended for the child's out-of-home placement for the duration of 18 months, and is not to exceed 18 months.

The adoptive parent(s) may request the financially-responsible public agency to pay the facility directly using the child's eligible AAP funds, or the adoptive parents may request the AAP check continue to be sent directly to them and they will be responsible for providing the payment to the facility.

The AAP SW will complete the AAP 2 instructing the county to send the adoptive parents a Notice of Action indicating that the AAP benefit is approved.

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**Implementing AAP  
Benefits once a  
Facility Has Been  
Approved (cont.)**

**NOTE:** The adoptive parents may negotiate all or part of the basic rate if the Residential Treatment Center rate is below the AFDC RCL rate.

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**References**

**CALIFORNIA-DSS-MANUAL-AD  
ADOPTIONS PROGRAM REGULATIONS 35334**

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**Alignment with SET**

Child Welfare Services values helping children and youth achieve their full potential and develop lifelong relationships: SET [Value 3](#), as well as having collaborative partnerships with kinship and resource families: SET [Value 2](#). The Adoption Assistance Program supports these values by providing additional financial assistance to families in need of additional services, and continuing to respond to critical needs of children who have been adopted.

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