

28 (c) a requirement that each instance of adoption assistance to which the compact applies
29 be covered by a written adoption assistance agreement between the adoptive parents and the
30 agency of the state which initially agrees to provide adoption assistance, and that any agreement
31 is expressly for the benefit of the adopted child and is enforceable by the adoptive parents, and by
32 the state agency providing adoption assistance;

33 (d) a provision that a child who is the subject of an adoption assistance agreement with
34 another party state, and who subsequently becomes a resident of this state, shall receive medical
35 identification and assistance in this state under the Adoption Assistance and Child Welfare Act of
36 1980, Title IV (e) of the Social Security Act, and Title XIX of the Social Security Act, based on
37 his adoption assistance agreement;

38 (e) a provision that a child who is the subject of an adoption assistance agreement with the
39 division, and who subsequently becomes a resident of another party state, shall receive medical
40 identification and assistance from that state under the Adoption and Child Welfare Act of 1980,
41 Title IV (e) of the Social Security Act, and Title XIX of the Social Security Act, based on his
42 adoption assistance agreement; and

43 (f) a requirement that the protections of the compact continue for the duration of the
44 adoption assistance and apply to all children and their adoptive parents who receive adoption
45 assistance from a party state other than the state in which they reside.

46 (3) The division shall provide services to a child who is the subject of an adoption
47 assistance agreement executed by the division, and who is a resident of another state, if those
48 services are not provided by the child's residence state under an interstate compact. The division
49 may reimburse the adoptive parents upon receipt of evidence of their payment for services for
50 which the child is eligible, which were not paid by the residence state, and are not covered by
51 insurance or other third party medical contract. The services provided under this subsection are
52 those for which there is no federal contribution, or which, if federally aided, are not provided by
53 the residence state.

54 (4) No later than ~~h~~ **July** **October 1** ~~h~~ 1999, the division shall report to the Legislative
54a Health and Human
55 Services Interim Committee on the funding of services to families that have adopted a child who
56 was previously in the custody of the state. That report shall:

57 (a) describe services, including financial assistance, that have been provided with state
58 monies;

59 (b) identify mechanisms for ensuring that adequate funding is available for services to the
60 child and the adoptive family until the child reaches 18 years of age;

61 (c) include a review of methods used by other states to ensure funding of on-going support
62 of adopted children and their adoptive families;

63 (d) identify any known instances where the division has been unable to provide reasonable
64 levels of service because of a lack of state funds; and

65 (e) include other recommendations by the division.

Legislative Review Note
as of 2-12-99 10:09 AM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel