

**Effective 9/1/2022**

**80-2-801 Definitions.**

As used in this part:

- (1) "Adoptable child" means a child:
  - (a) who is in the custody of the division; and
  - (b)
    - (i) who has permanency goals of adoption; or
    - (ii) for whom a final plan for pursuing termination of parental rights is approved in accordance with Section 80-3-409.
- (2)
  - (a) "Adoption assistance" means, except as provided in Section 80-2-809, direct financial subsidies and support to adoptive parents of a child with special needs or whose need or condition has created a barrier that would prevent a successful adoption.
  - (b) "Adoption assistance" includes state medical assistance, reimbursement of nonrecurring adoption expenses, or monthly subsidies.
- (3) "Adoption services" means, except as used in Section 80-2-806:
  - (a) placing children for adoption;
  - (b) subsidizing adoptions under Section 80-2-301;
  - (c) supervising adoption placements until the adoption is finalized by a court;
  - (d) conducting adoption studies;
  - (e) preparing adoption reports upon request of the court; and
  - (f) providing postadoptive placement services, upon request of a family, for the purpose of stabilizing a possible disruptive placement.
- (4) "Child who has a special need" means a child who:
  - (a) cannot or should not be returned to the home of the child's biological parents; and
  - (b)
    - (i) is five years old or older;
    - (ii) is under 18 years old with a physical, emotional, or mental disability; or
    - (iii) is a member of a sibling group placed together for adoption.
- (5) "Monthly subsidy" means financial support to assist with the costs of adopting and caring for a child who has a special need.
- (6) "Nonrecurring adoption expenses" means reasonably necessary adoption fees, court costs, attorney's fees, and other expenses which are directly related to the legal adoption of a child who has a special need.
- (7) "State medical assistance" means the Medicaid program and medical assistance as those terms are defined in Section 26-18-2.
- (8) "Supplemental adoption assistance" means financial support for extraordinary, infrequent, or uncommon documented needs not otherwise covered by a monthly subsidy, state medical assistance, or other public benefits for which a child who has a special need is eligible.
- (9) "Vendor services" means services that a person provides under contract with the division.

Renumbered and Amended by Chapter 334, 2022 General Session