

# Child Welfare Policy Manual

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## Questions & Answers

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### 8.2B.3 TITLE IV-E, Adoption Assistance Program, Eligibility, Child of a minor parent

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#### 1. Question: Is the child of a minor parent eligible for title IV-E adoption assistance as a child who is not an "applicable child"?

**Answer:** Section 473(a)(2)(A)(i)(I)(cc) of the Social Security Act provides that the child whose costs in a foster family home or child-care institution are covered by the title IV-E foster care payment made with respect to the parent is eligible for adoption assistance under title IV-E, if determined by the title IV-E agency to be a child with special needs under section 473(c). \*Note: This Q/A was previously deleted on 10/25/2017 because at the time, the phase-in for the applicable child in section 473(e)(1)(B) of the Act was complete. P.L. 115-123 amended section 473(e)(1)(B) to extend the applicable child phase-in to FY 2025, effective 1/1/2018.

- **Source/Date:** ACYF-CB-PA-88-01 (7/6/88); Questions and Answers on the Final Rule (65 FR 4020 (1/25/00); (03/03/2020)
- **Legal and Related References:** Social Security Act - section 473(a)(2)(A)(i)(I)(cc), 473(c), and 479B

#### 2. Question: In reference to a child who is not an "applicable child", when must the child of a minor parent meet the title IV-E adoption assistance eligibility criteria?

**Answer:** Effective October 1, 2005, the child of a minor parent must meet the title IV-E adoption assistance eligibility criteria prior to finalization of the adoption.

\*Note: This Q/A was previously deleted on 10/25/2017 because at the time, the phase-in for the applicable child in section 473(e)(1)(B) of the Act was complete. P.L. 115-123 amended section 473(e)(1)(B) to extend the applicable child phase-in to FY 2025, effective 1/1/2018.

- **Source/Date:** 8/7/2006; (03/03/2020)
- **Legal and Related References:** Social Security Act - Section 473(a)(2)(A)(i)(I)(cc), 473(c), and 479B; Public Law 109-171, The Deficit Reduction Act of 2005

#### 3. Question: When does an applicable child of a minor parent have to live in a foster family home or child care institution with the minor parent to meet the requirements in section 473(a)(2)(A)(ii)(I)(cc) of the Social Security Act (the Act)?

**Answer:** The statute at 473(a)(2)(A)(ii)(I)(cc) requires that the applicable child of the minor parent lived with his or her minor parent in a foster family home or child care institution and does not specify a timeframe. Therefore, the applicable child of a minor parent may reside with his or her minor parent at any point prior to the finalization of the child's adoption.

- **Source/Date:** 05/04/11
- **Legal and Related References:** Social Security Act § section 473(a)(2)(A)(ii)(I)(cc)