

The Kentucky Adoption Assistance Handbook

Kentucky Cabinet for Health and Family Services
Department for Community Based Services

Thank you for your commitment to children through adoption. Please use this handbook as a general reference guide to the services available. The provision of services offered in Kentucky is contingent upon the needs of the child and approval through Regional and/or Central Office Department for Community Based Services staff.

The information in the handbook reflects current state and federal laws and guidelines, which may change periodically. The handbook is available electronically.

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Introduction

Kentucky's adoption assistance program began in 1972 with legislation designed to eliminate barriers that could prevent the adoption of "special needs" children by adoptive parents who may be financially unable to meet the needs of the children. The Adoption and Safe Families Act (ASFA), passed in 1997, placed more emphasis on permanency for children, and eliminated some of the barriers to adoption for children waiting for families. Safety, permanency, and well-being are the key principles of ASFA, and each state is held accountable for the permanent placement of children.

Kentucky's legislature has implemented laws and regulations, including KRS 199.555, KRS 199.557, 922 KAR 1:050, and 922 KAR 1:060, to allow the Department for Community Based Services (DCBS) to provide post adoptive services and assistance to the adoptive parents of children who are in Kentucky's foster care program who meet the special needs criteria. Children in foster care have histories of loss, trauma, medical, and emotional issues.

Federal Funds – Title IV-E Eligible

To be eligible for Title IV-E adoption assistance, prior to the finalization of the adoption, the child must be a citizen (or meet the federal criteria for qualified alien), meet all three special needs (detailed in the special needs section) and meet at least one of the four criteria listed below:

- 1) The child is eligible if the removal court order contains Best Interest or Contrary to the Welfare language. Prior to 2024 children were required to meet Aid to Families with Dependent Children (AFDC) requirements.
 - a) Adoption assistance eligibility from a child's AFDC eligibility is determined based on the child meeting the criteria at the time of removal. The Fostering Connections to Success and Increasing Adoptions Act of 2008 gradually de-linked AFDC eligibility requirements related to title IV-E funded adoption assistance. By 2024, all children with special needs in foster care will no longer need to meet all AFDC

criteria, only the court order removal and language requirement to be title IV-E eligible for adoption assistance.

b) The method of removal has the following implications for AFDC eligible children for title IV-E adoption assistance:

- (1) If the child is removed from the home as the result of a judicial determination, the order must indicate that it was contrary to the child's welfare to remain in the home or in the child's best interest to be removed from the home; or
- (2) If the child is placed as the result of a voluntary placement agreement, the child must receive title IV-E foster care payments to be eligible for title IV-E adoption assistance. If title IV-E foster care maintenance payments are not paid, the child is not eligible to receive title IV-E adoption assistance.

2) The child is eligible if the child meets the requirements for SSI benefits.

Note: There are no additional criteria for a child to be eligible for title IV-E adoption assistance when eligibility is based on a child with special needs meeting SSI requirements. Specifically, in this situation it is irrelevant how a child is removed from his or her home or whether the state has responsibility for the child's placement and care.

- 3) A child is eligible for title IV-E adoption assistance if, prior to the finalization of the adoption, the child's minor parent was in foster care and received title IV-E foster care maintenance payment that covered both the minor parent and the child of the minor parent. There is no additional criteria to be met in order for a child to be eligible for title IV-E adoption assistance if the child's eligibility is based on his/her minor parent's receipt of foster care maintenance payment while placed with the minor parent in foster care. As with SSI, there is no requirement that a child must have been removed from the home, pursuant to voluntary placement agreement, or because of a judicial determination.
- 4) A child is eligible for title IV-E adoption assistance if they

were title IV-E eligible in a prior adoption. In the situation where a child is adopted and receives title IV-E adoption assistance, but the adoption later dissolves or the adoptive parents die, a child may continue to be eligible for title IV-E adoption assistance in a subsequent adoption.

Note: Since title IV-E adoption assistance eligibility need not be reestablished in such subsequent adoptions, the manner of a child’s removal from the adoptive home, including whether the child is voluntarily relinquished to an individual or a private agency, is irrelevant. An adoption subsidy cannot be transferred to a new caregiver if the adoption dissolves or the adoptive parents die.

State Funds – Non-Title IV-E

This assistance is available to all special needs children who do not qualify for title IV-E funded adoption assistance and were placed for adoption by DCBS.

What is the special needs criteria?

To qualify for adoption assistance, a child must meet the following criteria:

1. The state has determined a child in foster care cannot or should not be returned to their biological parents, because a court has granted a voluntary termination of parental rights (TPR), or an involuntary termination of parental rights (TPR), or the parents are deceased.
2. One or more of the following “special needs” definitions must be met:
 - Child has a physical or mental disability;
 - Child has an emotional or behavioral disorder;
 - Child has a recognized/documented risk of physical, mental, or emotional disorder;
 - Child is a member of a sibling group, consisting of two or more children, in which the siblings are placed together;
 - Child has had a previous adoption disruption or

- multiple (more than one) placements;
 - Child is a member of a racial and/or ethnic minority group and is two years old or older;
 - Child is age seven or older and has a significant emotional attachment or psychological tie to his/her foster family and the Cabinet has determined that it would be in the child's best interest to remain with the family; or
 - The child is eligible if the child meets the requirements for Supplemental Security Income (SSI) benefits and determined by the state to be a child with special needs prior to finalization of the adoption.
3. Reasonable efforts have been made to place the child with an appropriate adoptive parent without providing adoption assistance. For example, youth registered with KAPE. Exceptions to this requirement include a youth that has significant emotional ties to the adoptive family or a youth whose needs significantly impact the placement process.

What is a reasonable efforts determination?

In all cases, it must be determined that reasonable efforts have been made to place a child without the need for adoption assistance. This includes being registered with the Kentucky Adoption Profile Exchange (KAPE). However, there are exceptions including:

1. The child has significant emotional ties to the prospective adoptive parents, (i.e., foster parent) because they have had the child(ren) in their home for an extended period.
2. The child was registered with the Kentucky Adoption Profile Exchange (KAPE) to recruit an adoptive family but there was no waiting Kentucky family available; or
3. The child was referred to two or more families who were not accepting of the child because of the severity of the child's needs.

What if my child is denied adoption assistance?

If DCBS denies adoption assistance for your child and you feel that the denial was unjust based upon the special needs of the child, you have the right to a fair hearing. You may contact

your worker, and/or the Ombudsman's office, within 30 days of the denial at 1-866-596-6283, or you may complete the Service Appeal Request form (DPP-154) to request a fair hearing. The DPP-154 form can be provided by a worker or the Ombudsman's office. The worker or the Ombudsman's office can also assist with completing the form.

What is Adoption Assistance and how is it funded?

Adoption assistance is a resource to assist adoptive families with meeting the special needs of the children they adopt.

The monthly subsidy is a set monthly payment which in most cases is equal to the DCBS foster care per diem for the child. The monthly subsidy should not exceed the amount of the DCBS foster care rate for the specific child. Please refer to SOP 13.40 for more detailed information.

The funding source used for your child's adoption subsidy is found on the top right corner of the Adoption Assistance Agreement (DPP-1258/DPP-1258D). The monthly subsidy is available from two types of funding sources: federal funds (Title IV-E) or state funding.

What is the Adoption Assistance Agreement?

The Adoption Assistance Agreement (DPP-1258/DPP-1258D) is a form signed by the family and Cabinet representatives outlining the monthly maintenance amount and extraordinary expenses that are available to the adoptive family upon signing the DPP- 1258/DPP-1258D and DPP-1258C. The adoption assistance agreement must be signed prior to the finalization of the adoption.

Does my child qualify for medical assistance?

A Kentucky Medical Assistance Card is available for all children who have an Adoption Assistance Agreement (DPP-1258/DPP- 1258D). The adoption subsidy medical card is approved when the adoption finalizes, and the child's agency case is sealed. Adoptive parents

should report any name, social security number, and/or address changes to the adoption child benefits worker (CBW).

Medicaid eligible children receiving adoption assistance are assigned to an MCO, which is a Medicaid managed care health maintenance organization (HMO), for physical health care. The assigned MCO is Aetna. Aetna serves children in Kentucky SKY (Supporting Kentucky Youth), the Medicaid risk-based managed care delivery program for the state foster care program and the Department for Juvenile Justice (DJJ). The worker will submit the Adoption Assistance Update/Service Plan for Physical Health when the adoption is finalized. Any difficulties in obtaining services (including dental, vision, and pharmacy) or payment for medical services should be directed to member services at 1-855- 446-1245.

If a member does not want to participate in the SKY program, they can opt out of the KY SKY program. Adoptive families may opt in or out at any time. They may either choose to remain with Aetna Better Health of Kentucky or choose another MCO. Please call Department of Medicaid Services at 1-800-635-2570 with questions about opting out of the SKY program. Members may also log on to the Medicaid self-service portal through Kynect at www.kynect.ky.gov

Kentucky Integrated Health Insurance Premium Payment (KI-HIPP) KI-HIPP is a program for adoptive children who are eligible for a Medical Card. This Medicaid benefit will cover the premium cost for the private health insurance when the adoptive parent enrolls in this program. Contact KI-HIPP by calling toll free (855) 459- 6328 or kihipp.program@ky.gov.

MCO Contact Information:

- Aetna Better Health of Kentucky SKY program 1-855-446-1245 (Non-SKY program 1-855-300-5528)
- Anthem BCBS 1-844-396-2330
- Humana Healthy Horizons in Kentucky 1-800-833-6917
- Passport Health Plan by Molina Healthcare 1-800-578-0603

- United Healthcare Community Plan of Kentucky 1-844-813-7804
- WellCare of Kentucky 1-877-389-9457

What if my child has extraordinary medical needs?

Extraordinary medical expenses are only available for children placed for adoption by DCBS. These are expenses related to a child's special needs, which existed PRIOR to the adoption, and which are not reimbursable by private insurance, the medical card, or any other resource.

The services are utilized as the last resort when ALL other services have been exhausted. The resources are contingent upon DCBS approval.

A co-pay may be required based on the family's income. A copy of the front page of your 1040 Federal Income Tax Return must be provided to determine your co-payment, if any. The family's adoption subsidy worker can assist with determining co-pays, eligibility requirements, and identifying the services available. Once the service has been approved by DCBS, a verifiable receipt along with service provider contact information is required to be submitted for reimbursement of these services. Your co-pay will be deducted from each monthly receipt that is submitted for payment. (For example: A receipt is submitted for \$100 and if you have a 10% co-pay you will be reimbursed \$90).

The adoption billing specialist processes payments for these services.

Services covered by the extraordinary medical program DO NOT include the following:

- School tuition
- Home school expenses
- Gymnastics
- Housecleaning services

- Equine therapy
- Summer camp
- Computers and computer software (An exception in an amount not to exceed \$1,000 for a one-time purchase for severely physically disabled children may be approved)
- Fences
- Swimming pools
- Major home renovations
- Vehicles to transport children
- Routine medical expenses (This includes physician visits unrelated to the child's special needs)
- Over the counter drugs
- Hospitalizations
- Dentistry or Orthodontia (Unless, prior to adoption finalization, there is a medical need with documentation from a physician)
- Funeral expenses (unless, prior to adoption finalization, documentation was obtained from a treating physician for a terminally ill medically complex child)

Services covered by the extraordinary medical program MAY include the following:

- **Orthodontia** - the co-payment is 50% of the cost. A dentist or physician, prior to the adoption finalization, must verify that the medical/dental need exists and is medically necessary. Any orthodontia need diagnosed after finalization of adoption will be the responsibility of the adoptive parent.
- **Transportation** - If mileage for treatment needs, such as for therapy or medical appointments, exceeds the yearly mileage amount as outlined in sop 13.40, it may be covered. The adoption billing specialist or subsidy worker can provide current reimbursement rates.
- **Funeral and Burial Expenses**-Youth deemed medically complex with a terminal illness documented by a treating physician prior to adoption finalization shall be reimbursed not to exceed \$4500.

- **Childcare services** - Childcare services are available to both full-time and part-time working parents. A co-payment may be required based upon the adoptive parents' income. The worker facilitates DCBS payment of childcare services for working parents. Childcare services are paid by the adoptive parents and reimbursed only with a completed verification form from the childcare provider and a paid receipt. Adoptive parents must provide verification of employment annually. The rate of reimbursement is based on the county, the age of the child, and certification of the provider in accordance with the childcare regulations. Childcare reimbursement ends upon the child reaching age 13 unless documentation from a medical or mental health professional is received noting the need for continued childcare. The documentation must include the child's diagnosis and how the diagnosis impacts the child's ability to care for themselves to be considered for continued childcare reimbursement. The adoptive parent must provide the required documentation from the medical or mental health professional every 6 months. The R&C worker submits requests for non-working parents and children age 13 or older to the service region administrator (SRA) or designee every six months. The request is submitted via a memo and the required documentation must be attached.

Approved childcare rates cannot exceed the rates established by the Division of Child Care in Kentucky Administrative Regulation 922 KAR 2:160. The 1258C will indicate if the child is eligible for childcare and will note the family's required copay, if any. However, no specific childcare amount shall be noted on the 1258C.

The current childcare rates can be found here:
<https://chfs.ky.gov/agencies/dcbs/dcc/Documents/>

dcc300kymaxpaymentchart.pdf

- **Tutoring** – The rate may not exceed \$25.00 per hour and two hours per week. Co-payment may be required based on family income. The child must have an Individual Education Plan (IEP) or be grade level two or more years behind chronological age with documentation of the need and unavailability of services from the school.
Tutoring services must be provided by qualified personnel and by someone other than an immediate family member. The qualifications of the tutor must be verified.
- **Respite Care** - One day of reimbursed respite care per child, per month, is included in the monthly subsidy payment for children approved for the Basic or Advanced rate; therefore, families receiving these rates are not eligible for additional respite reimbursement. Children approved for Medically Complex or Care Plus Home rates may be approved
for two respite days per child per month. Children approved for the Specialized Medically Complex rate may be approved for three respite days per month per child. Respite is not cumulative and respite days must be submitted monthly for reimbursement.
- **Mental health services** - Services including counseling, expressive (art) therapy, behavioral therapy, physical therapy, occupational therapy, and speech therapy may require a co-payment. A Medicaid vendor MUST be utilized first.
- **Medication** – Medical insurance MUST be utilized first. Documentation needs to be provided that Medicaid has been exhausted and documentation provided from the treating physician of the need for the medication. A co-payment may be required. Over the counter medications are not reimbursed even with a prescription.
- **Special Equipment** - Medical insurance MUST be utilized first. Documentation needs to be provided that Medicaid has been exhausted and documentation provided from the treating physician of the need for the equipment. A co-payment may be required.

Co-payments for Extraordinary Medical may be required based upon the family's income. The Extraordinary Medical Co-payment scale is based upon 100% of the federal fiscal year (FFY) estimated Kentucky income. The family's adjusted gross income is utilized to determine the co-payment amount. The co-payments will be deducted from the monthly receipt.

Resources through Medicaid and private insurance, if applicable, must be utilized before requests for extraordinary medical expenses are approved for reimbursement. The adoptive family should utilize their MCO case manager to assist in locating approved Medicaid providers and services. DAFM staff at Central Office may also assist in locating approved Medicaid providers.

The Extraordinary Medical Co-Payment Scale is based upon 100% of the FFY estimated Kentucky income and is updated annually and available through the policy link. The family's adjusted gross income is utilized to determine the co-payment amount.

Nonrecurring Expenses

These expenses are one-time reimbursements to offset the costs of adopting a child in foster care with special needs. The child must meet the Kentucky special needs criteria and a reasonable effort must be made to place the child without adoption assistance. These expenses cannot be paid by any other source and the adoptive parent must incur the expenses. The maximum amount cannot exceed \$2,000.00 per child. The request for nonrecurring adoption assistance must be submitted and approved prior to finalization of the adoption.

Examples of allowable expenses up to \$2,000.00 per child include the following:

- Court costs and attorney fees
- Home study expenses, including physical and/or psychological exams
- Post-placement costs
- Transportation, food, and lodging costs related to the

adoptive placement and/or the adoption finalization process, limited to amount allowed by the Kentucky State Travel regulations. Transportation can also be reimbursed by regional foster care funds through a special expense request.

Families may choose to have the Cabinet pay their attorney directly. This should be indicated on the Nonrecurring Adoption Expenses Agreement form (DPP-1258A).

What if a change occurs?

If there is a change needed for the monthly subsidy, or extraordinary medical expenses, the family's subsidy worker may be contacted. The worker will discuss available options. Other DCBS services may be available, as well, to support the adoptive placement and can be considered on a case-by-case basis. If a change is needed the worker will submit a request for renegotiation for consideration/approval by the SRA or designee. If approved, a new Adoption Assistance Agreement form (DPP-1258/DPP-1258D and/or 1258C) will be required to be signed by the family. The revised payment or reimbursement of expenses cannot begin until all signatures are secured.

If there are any changes to the adoption subsidy, other than childcare rates, a new DPP-1258/DPP-1258D or DPP-1258C must be completed and signed by the adoptive parent(s) and DCBS staff.

When does adoption assistance begin?

Pre-adoptive assistance begins when the Adoption Assistance Agreement (DPP-1258/DPP-1258D) and the Adoptive Placement Agreement form (DPP-195) is in effect and signed, or on a later date if the family did not request adoption assistance at that time, and continues until the day the adoption is finalized. You must sign an Adoptive Placement Agreement form (DPP-195) prior to receiving pre-adoption assistance. The Adoption Assistance Agreement (DPP-1258/DPP-1258D) is signed at this

time as well.

Post-adoptive assistance begins when the adoption judgement is entered. An Adoption Assistance Agreement (DPP-1258/DPP-1258D) must be signed before the adoption is finalized to receive post-adoptive assistance. If the Adoption Assistance Agreement (DPP-1258/DPP-1258D) is in effect, prior to the adoption being finalized, it will continue until the child is no longer eligible or until a new agreement is signed.

Extraordinary medical payments begin on the effective date upon the signing of the Adoptive Placement Agreement (DPP-195) and the Extraordinary Medical Expenses Agreement (DPP-1258C).

NOTE: Adoptive parents become responsible for making childcare payments from the effective date on the Adoptive Placement Agreement once it is signed. DCBS will no longer pay the childcare provider directly. Childcare receipts must be submitted monthly for reimbursement from this point forward.

The adoption billing specialist processes the payments for pre-adoptive assistance and extraordinary medical expenses and reimburses those to the family. All extraordinary expenses require a completed verification form from the service provider with contact information and a paid receipt. ALL RECEIPTS ARE TO BE SUBMITTED MONTHLY.

All post-adoptive assistance payments are set up through an automated system and are generated automatically each month through DAFM. Payments are processed the third Monday of each month and deposited into accounts the Friday after.

Payments are not considered late until after the last working day of the month. If the payment is lost, or not received, the worker or regional billing specialist can be contacted to check on the status of the payment.

What is annual contact?

Adoptive families will be contacted annually. Families will need to complete the annual contact form and return it to the local DCBS office. Financial information, (i.e., income verification) is required only for families receiving extraordinary medical expense reimbursement. The co-pays are determined by this information. Verification of employment may be required for families receiving childcare.

It is very important to notify your worker and adoption billing specialist of any address or contact information changes (phone, email, etc.). This information is used not only for annual contact, but to receive important updates regarding billing matters, available services, and community resources.

What are the training requirements?

Adoptive parent(s) must successfully complete the training requirements in order to receive the identified rate as outlined below.

Rate Type:	Training Requirement(s):
Basic Rate	<ul style="list-style-type: none"> ● Preservice training curriculum
Basic Advanced Rate	<ul style="list-style-type: none"> ● Preservice training curriculum ● Minimum of thirty (30) hours (provided by or approved by the cabinet), prior to or during the month of second anniversary or initial approval, including: <ul style="list-style-type: none"> ○ Trauma informed care; ○ Psychotropic medications; ○ Sexual abuse; ○ Behavior management and skill development; ○ Advocacy and self-care; and ○ Culture and maintaining connections.
Basic Medically	<ul style="list-style-type: none"> ● Preservice training curriculum ● Minimum thirty (30) hour requirement (listed above)

Complex*	<ul style="list-style-type: none"> • Twelve (12) hours of initial medically complex training and additional ten (10) hours of ongoing training yearly • Certification in infant, child, and adult CPR and First Aid
Medically Complex Degreed*	<ul style="list-style-type: none"> • Same requirements as the Basic Medically Complex • Adoptive parent is a licensed health professional including, physician, physician assistant, advanced practice registered nurse, or registered nurse under the supervision of a physician
Specialized Medically Complex*	<ul style="list-style-type: none"> • Same requirements as Basic Medically Complex • Adopting a child whom needs a higher level of care and oversight than a basic medically complex child (includes behavioral and emotional needs)
Degreed Specialized Medically Complex*	<ul style="list-style-type: none"> • Same requirements as Medically Complex Degreed • Adopting a child whom needs a higher level of care and oversight than a basic medically complex child (includes behavioral and emotional needs)
Care Plus Rate	<ul style="list-style-type: none"> • Preservice training curriculum • Ten hours (10) of ongoing training and an additional twelve (12) hours of additional training in the areas of: <ul style="list-style-type: none"> ○ Specific requirements and responsibility of a care plus foster home, ○ Crisis intervention and behavior management, ○ De-escalation techniques, ○ Communication skills, ○ Skill development, ○ Cultural competency, ○ The dynamics of a child who has

	<p>experienced sexual abuse or human trafficking, and</p> <ul style="list-style-type: none"> ○ The effect of substance use, abuse, or dependency by either the child or the child’s biological parent. ● Minimum thirty (30) hour requirement (listed above in basic section above) ● Adopting a child designated as Care Plus and receiving a level of care that is a 2 or 3 and meet at least one of the following: <ul style="list-style-type: none"> ○ A diagnosed emotional or behavioral problem, ○ Is due to be released from a treatment facility, ○ Displays aggressive, destructive, or disruptive behavior, ○ Is at risk of being placed in a more restrictive setting, Is at risk of institutionalization, or ○ Has experienced numerous placement failures.
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***Only Central Office Medical Support Section staff can designate a child as medically complex or specialized medically complex.**

A private child placing (PCP) family meets the Care Plus standard for children who are a level 2 or 3.

To receive Medically Complex Advanced, Specialized Medically Complex Advanced, and Care Plus Advanced for a child, adoptive parent(s) must have been approved for one year and successfully completed 30 hours of Cabinet approved mandatory ongoing training as described above.

Adoptive parent(s) are **not required** to attend additional annual training to maintain their adoption assistance (unless their home remains open for foster or adoptive placements).

What are entitlement benefits?

Entitlement benefits are government programs that provide benefits to people who qualify based on age, income, or disability.

- Children eligible for or receiving “entitlements” (including Social Security, Black Lung Benefits, Veteran’s Administration Benefits, Retirement, Survivors, and Disability Insurance (RSDI) and Railroad Retirement) based on a birth parent’s death or disability, are eligible to receive the benefits after adoption. The Social Security Administration (SSA) and other benefit agencies encourage adoptive parents to apply for entitlements after adoption finalization.
 - To be considered for benefits, the adoptive parents must sign a release of information for the child. The Adoption CBW, with the assistance of the Social Service Worker (SSW) or R&C Worker, will obtain the release of information and submit it to the Central Office Children’s Benefits Coordinator for processing.
- Supplemental Security Income (SSI) is an entitlement benefit but based on the child’s disability and income. Adoptive parents can apply for SSI on behalf of their adoptive child after the adoption is finalized, however if the child is determined eligible for SSI, the SSI benefit will be reduced “dollar for dollar” by the amount of the monthly adoption subsidy. In almost all cases, the amount of the adoption subsidy exceeds the amount of the SSI. Adoptive parents should contact the SSA with any questions.

Children eligible for or receiving “entitlements” based on an adoptive or biological parent’s death or disability are eligible to receive the benefits after adoption. The child may receive full entitlement benefits and the adoptive parents may receive full subsidy payment. There is no “dollar-for-dollar” reduction in subsidy in these cases.

Additionally, children may receive insurance settlements after adoption from a biological parent without reduction of

the adoptive parents' subsidy.

What if I failed to request adoption assistance before finalization of the adoption?

This program consists of the following options depending on whether the child was eligible for federal or state funds before the adoption was finalized:

Federal Funds – Title IV-E

Federal regulations (45CFR 1356.40 (b) (1)) require that the Adoption Assistance Agreement (DPP-1258/DPP-1258D) be signed and in effect prior to the final decree of adoption. However, if the adoptive parents feel they wrongly have been denied benefits on behalf of an adoptive child, they have the right to a fair hearing.

Some allegations that constitute grounds for a fair hearing include:

- Relevant facts regarding the child were known by the state agency or child-placing agency and not presented to the adoptive parents prior to the finalization of the adoption;
- Denial of assistance based upon a means test of the adoptive family;
- Adoptive family disagrees with the determination by the state that a child is ineligible for adoption assistance; and
- Failure by the state agency to advise the potential adoptive parent(s) about the availability of adoption assistance for children in the state foster care system.

In situations where the final fair hearing decision is favorable to the adoptive parents, the state agency can reverse the earlier decision to deny benefits under title IV-E. If the child meets all the eligibility criteria, Federal Financial Participation (FFP) is available, beginning with the earliest date of the child's eligibility criteria, (e.g., the date of the child's placement in the adoptive home or finalization of the adoption) in accordance with federal and state statutes, regulations, and policies.

State Funds

If the adoption of a child is near dissolution, assistance can be requested for extraordinary medical expenses and a medical card. Approval is contingent upon DCBS approval and the availability of funds and the following criteria:

- DCBS placed the child for adoption,
- The child was considered “special needs” prior to the adoption,
- The parents have made a reasonable effort under the circumstances to meet the needs of the child without assistance, and
- The child is younger than 18 years old.

Approved expenses may be retroactive to the date of the adoptive parents’ request. Expenses that have caused a financial hardship for the family may be retroactive to July 1 of the current state fiscal year.

If a child qualifies for services, through the state funded program, an R&C worker should be contacted through the local DCBS office. The worker can discuss the child’s needs to determine if the child qualifies for services. The child must meet the “special needs” criteria in effect at the time of finalization.

How will adoption assistance affect my income tax?

Adoption assistance is not considered taxable income, according to the IRS. The expenses reimbursed through the Extraordinary Medical Program, including day care services, respite care, or other medical services, are not allowed as deductions when itemizing income taxes. Likewise, the reimbursements received from DCBS for those expenses is not considered taxable income.

Adoption Tax Credit

Adoption tax credit information can be provided by a tax

advisor or by contacting the Internal Revenue Service at 1 (800) 829-1040 or online at <https://www.irs.gov/Individuals>.

What if I move?

In state moves

Families moving within Kentucky should contact their subsidy worker and provide the approximate date of the move, contact number, and the new address. The worker will contact the DCBS office in the area where the family is moving for the adoption assistance case transfer. The worker will provide contact information for the new DCBS office.

To ensure proper distribution of payment the move should also be reported to CHFSAdoptionSubsidy@ky.gov. There should not be an interruption in the monthly subsidy. However, if there is, all payments due will be made to the family.

Out of state moves

Families moving outside Kentucky should contact their subsidy worker and provide the approximate date of the move, contact number, and the new address. The subsidy worker will notify the adoption CBW. The adoption CBW will notify the new state of residence, a medical assistance card may be available in that state.

Medical assistance is available from the state of Kentucky for all children if unavailable from the state of residence. The availability of the medical card depends upon the funding source identified on the Adoption Assistance Agreement (DPP-1258/DPP-1258D) and the state of residence.

Federal Funds-Title IV-E Adoption Assistance

Title IV-E eligible children must receive medical assistance from their state of residence. More information can be found at <http://aaicama.org/cms/>.

State Funds

State-funded children may be eligible for medical assistance in

their state of residence, if the state is a member of the Interstate Compact on Adoption and Medical Assistance (ICAMA) and accepts incoming adoptive children. If the child does not qualify for medical assistance in the resident state, the child may retain the Kentucky Medical Assistance card/MCO. The adoptive parents must locate vendors in their new state that will be willing to apply to become Kentucky Medicaid Vendors if they are not already. The family should contact their MCO for assistance in this matter.

The subsidy worker should notify the adoption billing specialist and adoption CBW of the new out of state address for the adoptive family as soon as possible. Once they have been notified, they will contact the ICAMA DAFM specialist who then begins the process of requesting the new state enter a Medicaid case.

For more information regarding ICAMA contact the DCBS central office ICAMA contact at KYICAMA@ky.gov.

When does adoption assistance end?

Title IV-E and State funded adoption assistance will continue until one or more of the following criteria are met.

- At the written request of the adoptive parent
- When the child reaches age 18; or upon high school graduation, or the child's 19th birthday, whichever comes first
- When the child reaches age 21 if the state determined through the MRT (Medical Review Team) process that the child had a mental or physical disability that warranted continuation of assistance. This is for Title IV-E subsidies only.
- For youth who have an initial signed adoptive placement agreement on or after their 16th birthday they may receive subsidy up until age 21. Please refer to 922 KAR 1:060 for the eligibility criteria and information that would cause assistance to end. This is for Title IV-E subsidies only.
- The adoptive parent is no longer legally responsible for the

- support for the child, (i.e., termination of parental rights)
- The child is no longer receiving support (Refer to SOP 13.44) from the adoptive parents
- No adoptive parent who signed the Adoption Assistance Agreement (DPP-1258/DPP-1258D) remains living
- Upon the child's death, marriage, or entrance into military service
- In the event the state legislature fails to appropriate funds to support the state funded adoption assistance program

When does adoption subsidy change?

Temporary suspension of state funded adoption assistance may occur (per Kentucky Administrative Regulation 922 KAR 1:050) during periods the adopted child re-enters the custody of CHFS.

Reduction

State funded and Title IV-E funded subsidies may be reduced after 3 written requests to provide documentation demonstrating financial responsibility and support. If the adopted child re-enters foster care (Title IV-E) or leaves the adoptive home (Title IV-E and state funded), the adoptive parents MUST provide financial support for the child and provide documentation/receipts to the worker. Payments with any needed adjustments may resume once documentation is received.

When youth are placed in a residential treatment facility through Post Adoptive Placement Stabilization Services (PAPSS) subsidy is reduced to \$1.00 during the PAPSS period. This amount allows the adopted child to maintain his/her medical card during the reduction period.

Reduction of title IV-E funded subsidies cannot be implemented without agreement by the adoptive parent(s) and a renegotiated subsidy contract. A new DPP-1258/DPP- 1258D and/or DPP-1258C will need to be completed to show the new amount.

When changes are made to adoption assistance the family

should receive a DPP-154A from the worker advising of the reason and a 10-day notice prior to the date of the discontinuance.

*The adoptive parent/family is responsible for notifying the Cabinet of any circumstances that would cause a change or discontinuance of adoption assistance. Information should be reported to the R&C worker or the adoption CBW.

Does adoption assistance continue beyond age 18?

State Funded

State funded adoption assistance can be continued if the child is 18 and still enrolled in high school. State funded adoption assistance then will continue until the child reaches age 19, or high school graduation, whichever comes first. For the subsidies continued beyond age 18, the medical coverage continues until high school graduation if the child is expected to graduate before his/her 19th birthday. The family submits written verification of the child's continued enrollment in high school past the age of 18 to the R&C worker. **The school verification form must be received no later than four months after the child turns 18.** There are no back payments issued beyond the four-month timeframe.

Title IV-E Funded

Title IV-E adoption assistance can continue after the age of 18 if an adopted child is determined by the Social Security Administration or by a Cabinet Medical Review Team (MRT) to have a disability. Disability includes an inability to engage in any substantial gainful activity due to any medically determined physical or mental impairment(s) that can be expected to last continually for at least 12 months or to result in death. The medical card will continue until age 21 for title IV-E funded

subsidies approved for continuation beyond age 18.

To determine a youth's disability, **at least six months prior to their 18th birthday**, the adoptive family completes a referral for determination for disability (DPP-601); a release of information (MRT-15), provided by the R&C worker; and provides current (within one year) supporting documentation including, but not limited to: educational testing, IEPs, medical records, or psychiatric hospital records. When the necessary documents are submitted after the youth's 18 birthday, there is no guarantee of back payment. The Department for Disability Determination Services (DDS) and the MRT considers the following factors in determining approval or denial of a disability determination for an adopted youth: the child's medical history and medical testimony, including information related to the alleged physical or mental disability, illness or impairment, as to whether the child's ability to gain full-time employment or to pursue opportunities within a state or federal education program are reduced; the youth's age, employment history, education, and the effect of the physical or mental condition on the ability to care for and support him/ herself.

Youth who receive Title IV-E adoption assistance whose initial Adoptive Placement Agreement (APA) was signed on or after their 16th birthday may be eligible to receive continued adoption assistance up to the age of 21 if any of the below factors are met.

- 1) Is completing a secondary education program leading to an equivalent credential;
- 2) Enrolled in an institution which provides post-secondary or vocational education;
- 3) Participating in a program or activity designed to promote, or remove barriers to employment; or
- 4) Employed for at least 80 hours per month.

Contact your local DCBS office regarding the procedure to request the extension for the adoption subsidy beyond age 18.

What are Post Adoption Placement Stabilization Services?

Post-Adoption Placement Stabilization Services (PAPSS) is an optional and supportive service offered to adoptive parents on a voluntary basis. Adoptive parents receiving adoption assistance (subsidy) for a DCBS agency adopted child may request this service IF the placement is close to disruption and other requirements are met including but not limited to exhaustion of in-home services, the youth meeting leveling criteria, the family's willingness for the youth to return home, etc. Since renegotiation of adoption assistance cannot occur without the adoptive parents agreeing, the adoptive parent must agree to renegotiate adoption assistance to \$1.00 during the PAPSS placement to ensure the continuance of the child's medical coverage. Therefore, a new Adoption Assistance Agreement (DPP- 1258/DPP-1258D) must be signed. Designated regional staff must ensure the agreement is signed prior to proceeding with PAPSS services.

Extraordinary medical expenses can be negotiated to cover the cost of transportation during the PAPSS placement. (For example: mileage to and from PAPSS placement for visits, therapy, and/or case consults)

Adoption assistance is temporarily discontinued on the date of the child's placement into a residential facility. If approved, families are eligible for 60 days of PAPSS. An additional 30 days may be granted with Commissioner approval. PAPSS may not exceed 90 days in a 12-month period.

Adoptive parents do not have to relinquish custody of their child to receive this service. If the placement exceeds 90 days, then voluntary commitment to the Cabinet is pursued. Additionally, if the child re-enters OOH through voluntary commitment, the child must participate in the Aetna SKY program.

For state funded adoption subsidy, it is reinstated when a child returns to the adoptive home. For title IV-E adoption subsidy, it is reinstated once the voluntarily commitment has been signed (when longer treatment needs exist past PAPSS services) or at the time the child returns home if during the 90 days of PAPSS services. When reinstating the adoption subsidy, a new DPP- 1258/DPP-1258D must be completed and signed.

Any time there is a change in the adoption subsidy, a new Adoption Assistance Agreement (DPP-1258/DPP-1258D) must be signed.

The eligibility requirements to receive PAPSS services **determined by regional DCBS staff** include:

- the possibility of placement disruption;
- the adoptive parent(s) cooperation with and utilization of other available preventative services, such as family preservation or other in-home services;
- agreement by the adoptive parent(s) to temporarily renegotiate the subsidy;
- the child receives a LOC of 3;
- adoptive parent(s) authorization to the Cabinet for coordination of PAPSS services including making referrals for the child to a child caring facility;
- adoptive parent(s) authorization for the Cabinet to access the child's medical and treatment information;
- agreement by adoptive parent(s) to participate in family team meetings (FTM) with Cabinet and facility staff;
- adoptive parent(s) to cooperate with the assessment of the child to determine the child's needs;
- adoptive parent(s) agreement to participate in the child's treatment to facilitate reunification.

Please contact your local DCBS office for eligibility criteria or additional information.

What is the Tuition Waiver for Adopted Children?

Youth who are placed for adoption by CHFS are eligible for the tuition waiver. Tuition and mandatory student fees at all Kentucky public postsecondary institutions, including all four-year universities and colleges of the Kentucky Community and Technical College System, will be waived for Kentucky foster or adopted youth who are full-time or part-time students if they meet all entrance requirements and maintain academic eligibility while enrolled at the college.

The waiver will cover the costs of tuition at the in-state rate. Families of children adopted from Kentucky, but not residing in Kentucky, will be required to pay the difference between the in-state and out-of-state tuition rates. The waiver does not apply to institutions outside Kentucky.

“Tuition and mandatory fees” means fee for instruction. This does not include room and board or books.

The Tuition Waiver is applicable for undergraduate as well as graduate study

How do you apply for the waiver?

- 1) The student must complete and process the Free Application for Federal Student Aid (FAFSA) to determine if he or she is eligible for state or federal financial aid programs. The amount of the waiver will be determined by any other free financial assistance (loans excluded) the student receives. The waiver and other free assistance cannot exceed the total costs of attendance.
- 2) The “Tuition Waiver for Foster and Adopted Children” form (DPP-333) must first be signed by the student (or guardian if under 18) and returned to the institution. These forms are available from Cabinet or DJJ staff, school counselors, public post-secondary institution staff, and vocational rehabilitation counselors.

How long will a student be eligible for the tuition waiver?

The student must request the waiver within four years of

their high school graduation or attaining their GED.

The student shall be eligible for the tuition waiver for up to 150 consecutive or nonconsecutive credit hours earned after first admittance if satisfactory progress is achieved or maintained up to 28 years old, except in those cases outlined in KRS 164.2847(6).

Service Extension

The five-year eligibility period will be extended if the college determines that the student was unable to enroll for or complete an academic year due to serving:

- 1) On active-duty status in the United States Armed Forces;
- 2) As an officer in the Commissioned Corps of the United States Public Health Service; or
- 3) On active service in the Peace Corps Act or AmeriCorps.

The original expiration date will be extended by the total number of years during which the student was on active-duty status. The number of months served on active-duty status will be rounded up to the next higher year to determine the maximum length of eligibility extension allowed.

For additional information, please contact local DCBS staff or call 1-502-564-2147.

What is the Education Training Voucher?

The ETV is available for students who were in state's custody on their 18th birthday or who were adopted from state's care on or after their 16th birthday. The maximum amount of assistance available is \$5,000 per student per year. Students eligible for the tuition waiver may also be eligible for an ETV. Allowable expenses include, but are not limited to, the following: books, tuition, and childcare, transportation, utilities, and food and rent assistance.

Eligible students must be enrolled at least part-time in an

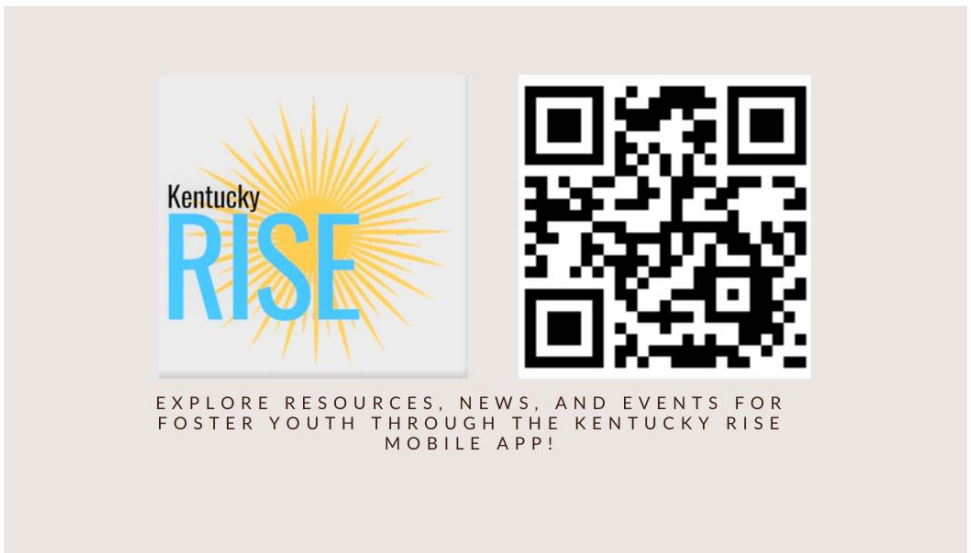
accredited postsecondary education or job training and maintain academic eligibility or satisfactory academic progress. To apply for the voucher or for questions, students should contact their regional independent living specialists (ILS).

Eligible youth must:

- Have aged out of foster care or been adopted on or after their 16th birthday,
- Currently between 18 and 26 years old, and
- Be enrolled in an accredited post-secondary program.

For more information, email: chafee.ilp@ky.gov or visit the

KY RISE website using the QR code below:



What is the Chafee Independence Program?

The John Chafee Independence Program is a federally funded program designed to teach young people in foster care, or who have been in foster care, life skills to be self-sufficient and live successfully, as an adult. The ILS facilitate provisions of

these services (see graph above). To find out more about this program, you may contact the ILS in your region or you may call 502-564-2147 or email CHFS DCBS DPP Chafee ILP at chafee.ilp@ky.gov.

RESOURCE INFORMATION

AdoptUSKids

This is a national federally funded program providing tips, resources, and an extensive database of children in U.S. foster care available for adoption, for families, and child welfare professionals.

Contact Information

Phone: (888)200-4005

Email: info@adoptuskids.org

Website: www.adoptuskids.org

Cabinet for Health and Family Services Office of the Ombudsman

The Office of the Ombudsman answers questions about Kentucky CHFS programs; investigates customer complaints; works with CHFS management to resolve them; advises CHFS management about patterns of complaints; and recommends corrective action, when appropriate.

Contact Information

Phone: 866-596-6283

Website:

kentucky.gov/government/Pages/AgencyProfile.aspx?Title=Office+of+the+Ombudsman

Child Welfare Information Gateway

This is a federal program providing resource information, on all aspects of domestic and inter-country adoption, focusing on adoption from the U.S. foster care system.

Contact Information

Phone: (800)394-3366

Email: info@childwelfare.gov

Website: www.childwelfare.gov

DCBS Adoption Billing Specialists

The adoption billing specialists handle processing of payments and reimbursement, including pre-adoptive assistance payments and extraordinary medical expense payments, for foster and adoptive parents.

Contact Information

Email: CHFSAdoptionSubsidy@ky.gov

Fax: 502-564-032

DCBS Adoption Child Benefits Workers

The adoption CBWs handle processing and approval for Medicaid, COBRA, and ICAMA coverage, title IV-E eligibility, SSI/RSDI changes and updates, and monitoring of adoption cases for changes or adjustments in subsidy payments.

Region	Counties	Email
Cumberland	Kelly Jones	Kellyj.jones@ky.gov
Eastern Mountain	Erin Logan	Erin.logan@ky.gov
Jefferson	Bo Schiele	Bo.schiele@ky.gov
Northeastern	Erin Logan	Erin.logan@ky.gov
Northern Bluegrass	Kelly Jones	Kellyj.jones@ky.gov

Salt River Trail	Bo Schiele	Bo.schiele@ky.gov
Southern Bluegrass Fayette only	Erin Logan	Erin.logan@ky.gov
Southern Bluegrass	Bo Schiele	Bo.schiele@ky.gov
The Lakes	Rhonda Dickerson	Rhonda.dickerson@ky.gov
Two Rivers	Rhonda Dickerson	Rhonda.dickerson@ky.gov
Trust Funds		1 (502) 839-7678

DCBS R&C Regional Offices

Region	Counties	Supervisor (FSOS)	Email
Cumberland	Bell, Clay, Harlan, Jackson, Knox, Laurel, Rockcastle, Whitley	Jennifer White	JenniferN.white@ky.gov
Cumberland	Adair, Casey, Clinton, Cumberland, Green, McCreary, Pulaski, Russell, Taylor, and Wayne	Kayce Storm-Hayes	Kayce.storm-hayes@ky.gov

Eastern Mountain	Breathitt, Floyd, Johnson, Knott, Lee, Leslie, Letcher, Magoffin, Martin, Owsley, Perry, Pike, Wolfe	Edwina Slone	edwina.slone@ky.gov
Jefferson	Jefferson	Jessica McQueary	JessicaE.McQueary@ky.gov
Jefferson	Jefferson	DeAndrea N Baldon	DeandreaN.Baldon@ky.gov
Jefferson	Jefferson Adoptions	Whitney Lewis	Whitney.Lewis@ky.gov
The Lakes	WEST - Foster Care: Ballard, Carlisle, Calloway, Fulton, Graves, Marshall, Hickman, McCracken	Shawn Johnson	shawn.johnson@ky.gov
The Lakes	EAST Foster Care: Caldwell, Christian, Crittendon, Hopkins, Lyon,	Maria Cansler	maria.cansler@ky.gov

	Livingston, Muhlenburg, Todd, Trigg		
The Lakes	WEST - Adoptions: Ballard, Carlisle, Calloway, Fulton, Graves, Marshall, Hickman, McCracken	Channa Woodall	channa. woodall@ ky.gov
The Lakes	EAST - Adoptions: Caldwell, Christian, Crittendon, Hopkins, Lyon, Livingston, Muhlenburg, Todd, Trigg	Andrea Todd	andrea.todd@k y.gov

Northeastern	Adoptions - Bath, Bracken, Boyd, Carter, Elliott, Fleming, Greenup, Lawrence, Lewis, Mason, Menifee, Montgomery, Morgan, Robertson, Rowan	Paul Moore	paul.moore2@ ky.gov
Northeastern	Foster Care - Bath, Bracken, Boyd, Carter, Elliott, Fleming, Greenup, Lawrence, Lewis, Mason, Menifee, Montgomery, Morgan, Robertson, Rowan	Tina Frisby	tina.frisby@ ky.gov
Northern Bluegrass	Campbell, Kenton	Jennifer Wiehe	jennifer. wiehe@ky.go v
Northern Bluegrass	Bourbon, Harrison, Nicolas, Owen, Scott, Pendleton	Sherry Selvey	sherry.selvey @ ky.gov

Northern Bluegrass	Boone, Carroll, Gallatin, Grant	Stephanie Ritter	stephanie.ritter@ky.gov
Northern Bluegrass	Adoption (PCP adoptions, adoptions under Jenni & Stephanie)	Kevin Minch	Kevin.Minch@ky.gov
Salt River Trail	Breckenridge, Grayson, Hardin, Larue, Meade, Marion, Nelson, Washington	Melinda Donahue	melinda.donahue@ky.gov
Salt River Trail	Anderson, Bullitt, Franklin, Henry, Oldham, Shelby, Spencer, Trimble, Woodford	Casey Gilbert	casey.gilbert@ky.gov
Southern Bluegrass	Fayette, Jessamine	Cathy Shepler	cathy.shepler@ky.gov
Southern Bluegrass	Fayette	Erin Endicott	erin.endicott@ky.gov
Southern Bluegrass	Boyle, Clark, Estill, Garrard, Lincoln, Madison, Mercer, Powell	Janie Rogers	janie.rogers@ky.gov

Southern Bluegrass	Estill, Madison, Powell	Ashlee Jones	AshleeR.Jones@ky.gov
Southern Bluegrass	Regional Training Team	Kelly Jaramillo	Kelly.Jaramillo@ky.gov
Two Rivers	Butler, Daviess, Hancock, Henderson, Logan, McLean, Ohio, Union, Webster	Kristi Raley	Kristi.raley@ky.gov
Two Rivers	Allen, Barren, Edmondson, Hart, Metcalfe, Monroe, Simpson, Warren	Michaelle Johnson	michaelle.johnson@ky.gov
Two Rivers	Adoptions – Region	Ashley Richey	AshleyA.Richey@ky.gov

First Steps

A statewide early intervention system that provides services to families with children with developmental disabilities from birth to age three.

First Steps is available in all Kentucky counties. Services are available to any child and family who meet developmental eligibility criteria, regardless of income. A family’s participation in First Steps services is always voluntary. Referrals are directed to teams at the district local point of entry offices that help children

and families access needed services.

Contact Information

Phone: (877) 417-8377 or (877) 41STEPS

Email: chfs.firststeps@ky.gov

Website: <https://chfs.ky.gov/agencies/dph/dmch/ecdb/Pages/firststeps.aspx>

Kentucky Adoption Profile Exchange (KAPE)

This is a statewide program within DCBS assisting with the recruitment of foster and adoptive placements.

Contact Information

Phone: 1-502-564-2147

Websites: <https://adopt.ky.gov/> or

<https://www.adoptuskids.org/states/ky/index.aspx>

Kentucky Kids Belong

This is known as the “I Belong Project” through America’s Kids Belong. This resource gives children in foster care, who are available to be adopted, a face and a voice through high-quality videography.

Facebook:

<https://www.facebook.com/Kentucky-Kids-Belong-106646950725898/>

Website for Kentucky Kids Belong to view videos of Kentucky kids:

<https://americaskidsbelong.org/ky/>

Website for America Kids Belong:

<https://americaskidsbelong.org/>

Kentucky Partnership for Families and Children, Inc.

This program provides a united voice dedicated to improving services for children with emotional, behavioral, and/or mental health challenges. This program also provides information about disabilities, advocacy activities, and contact persons for support groups in every area of the state.

Contact Information

Phone: (800) 369-0533

Website: <https://kypartnership.org/>

KY FACES

This is a resource for Kentucky Foster and Adoptive Caregivers. There is helpful information regarding foster care and adoption, resources, support services, and more.

Website: <https://prd.webapps.chfs.ky.gov/kyfaces>

KY RISE

This is a resource that is a one stop shop for transition aged foster youth. There is helpful information about all the resources and services available to current and former foster youth such as education benefits, housing options, and aftercare services.

Website: <https://prd.webapps.chfs.ky.gov/kyrise/>

Families Rising

A national program that provides resources, information, and support to adoptive families and prospective adoptive families.

Contact Information

Phone: 1-800-470-6665 ext. 115

Website: www.wearefamiliesrising.org

University of Kentucky Training Resource Center

This program provides training, technical assistance, and consultation to professionals and caregivers through various programs including the Foster Parent Training Program, Medically Complex Training Program, Adoption Support for Kentucky (ASK) Program, and the Foster Parent Mentor Program.

Contact information

Phone: 1 (833) 859-3278

Email: ask@uky.edu

Website: <https://socialwork.uky.edu/centers-labs/training-resource-center/>

University of Kentucky Comprehensive Assessment and Training Services (CATS)

This program provides multidimensional, non-medical, proactive assessment of children and families identified by DCBS.

Contact Information

Phone: 1 (859) 543-0078, Ext. 0

Email: **CTAC@lsv.uky.edu**

Website: **<http://www.uky.edu/CTAC/>**



To learn more about foster care and
adoption, please call
1-502-564-2147 or visit
<https://prd.webapps.chfs.ky.gov/kyfaces>

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