

10A NCAC 70M .0602 ELIGIBLE NONRECURRING ADOPTION EXPENSES

An adoptive parent shall receive reimbursement for nonrecurring adoption expenses not to exceed two thousand dollars (\$2,000) when:

- (1) The child placed with the parent for the purpose of adoption is a child with special needs;
- (2) The adoptive parents have submitted a signed application for nonrecurring adoption expenses on a form provided by the Department ("State of North Carolina Application For Reimbursement of Nonrecurring Adoption Costs" Form DSS-5145, which may be accessed at <https://www.ncdhhs.gov/divisions/dss>). The application shall:
 - (a) provide evidence that the child is a child with special needs;
 - (b) include acknowledgements by the adoptive parents that:
 - (i) nonrecurring adoption expenses are limited to a reimbursement of two thousand dollars (\$2,000) per child and are contingent on the child being a child with special needs;
 - (ii) the expenses that they are seeking reimbursement for were actually incurred by them;
 - (iii) the expenses that they are seeking reimbursement for are reasonable and necessary adoption expenses which were directly related to the legal adoption of the child that meets the requirements in 42 USC 673(A)(6); and
 - (iv) the expenses that they are seeking reimbursement for have not and will not be reimbursed by another source.
 - (c) if the placement was an interstate placement, include an acknowledgement by the adoptive parents that the placement was made in accordance with the Interstate Compact on the Placement of Children adopted by both the sending and receiving state and any other applicable federal, state, or local laws or rules related to the interstate adoptive placement of a child;
 - (d) the type and amount of the expense that will be incurred by the adoptive parents; and
 - (e) include documentation that verifies the information in the application and receipts for any nonrecurring service for which the parent is seeking reimbursement.
- (3) The foster parents and all individuals 18 years of age or older who reside in the prospective adoptive home shall have a completed a criminal history investigated pursuant to G.S. 48-3-303 and 48-3-309 and shall not have a criminal history, as defined by G.S. 48-1-101(5b), or any other criminal conviction that would cause the prospective adoptive parent to be unfit to have responsibility for the safety and well-being of children as determined by the public adoption agency pursuant to G.S. 48-3-309.
- (4) The foster parents shall provide the public adoption agency with the results of the criminal history investigation, and the public adoption agency shall maintain a copy of the results.
- (5) The adopting parents and all individuals 18 years of age or older who reside in the home shall have a completed check of the North Carolina's Responsible Individuals List pursuant to G.S. 7B-311 and have a check of the results of child abuse and neglect central registry of states where the applicant has resided the past five years and not be placed on the North Carolina's Responsible Individuals List or any other state's child abuse and neglect central registry. The public adoption agency shall maintain a copy of the results in their file.
- (6) Upon approval of the application in Item (2) of this Rule, the adoptive parents shall enter into a binding written agreement with a public adoption agency for the reimbursement of nonrecurring expenses on a form provided by the Department ("State of North Carolina Agreement for Reimbursement of Nonrecurring Adoption Costs" Form DSS-5146, which may be accessed at <https://www.ncdhhs.gov/divisions/dss>) that meets the requirements in 42 USC 673(a)(3) and is signed at the time of or prior to the final decree of adoption.
- (7) The application for reimbursement was filed in accord with the quarter rule outlined in 45 CFR 1356.41(e)(2).

*History Note: Authority G.S. 108A-49; 108A-50; 143B-153;
Eff. July 1, 1991;
Readopted Eff. August 1, 2021.*