

## Adoption Assistance Advocacy

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## About This Webinar

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## Agenda

- Legislative engagement
- Talking points and telling stories
- Research
- Other advocacy tools
- Specific advocacy ideas
- Two state examples



## Misperceptions about adoption subsidy

- Parents are in it for the money
- We don't pay parents to raise their own (birth) children
- Those parents that you don't pay, you aren't removing their children.



## Legislative Engagement

- State and provincial legislatures holds the purse strings
- Many things are set in statute – laws passed by the legislature.
  - Including definition of special needs in some states/provinces
- Except for Nebraska, every state legislature has two chambers.
- It is good to find out who are the members of the committees that deal with human service issues.
- For parliaments, which legislator is the Minister over the department.



## Understanding the Legislature

- Most states pass two year budget cycles during odd number year legislative sessions—next spring typically!
- When is the legislature in session? National Conference on State Legislators has this guide: <https://www.ncsl.org/research/about-state-legislatures/2020-state-legislative-session-calendar.aspx> Check to see if key committees have e-mail lists you can be a part of.
- Provincial calendars seem to be spring and fall.
- NOTE: At the end of session, because of time and arcane process rules, things might get rolled into a huge bill, often these are called omnibus bills.



## Connecting with Legislators

- First you need to know who is your representative, senator, assemblyperson, MPP or MLA.
- Are there any personal details you know about your legislator?
  - Have they been a foster or adoptive parent?
  - Do they have family or personal connections to foster care or adoption?



## Connecting with Legislators

- Unfortunately in these tough economic times, we may not find a solution this legislative session, especially if your advocacy efforts have a cost.
  - Make the case of cost savings.
- Another issue with costs, is that as we have more children moving to adoption, the cost of adoption assistance programs have gone up.
- It is always good to connect with your legislator and let them know what your interests are.
  - Many times these efforts will take multiple years.
  - Do not wait until your state/province has a surplus to begin laying the ground work.



## Connecting with Legislators

- If you have not already met or talked with your legislator, then here are some ways to connect with them now.
  - Get a group of parents together in your district and invite your legislator for an open house.
  - Find out when they have meetings with constituents in your district and attend it.
  - Call them, calling is better than letter or e-mail. Be prepared to give your address so they know you are a constituent of theirs (boss/voter).



## Connecting with Legislators

- If a group that advocates for child welfare issues is doing a day at the legislature, go to the rally and schedule meetings (in advance) with your legislator. This will connect you with your legislator and raise awareness.
- If your county has an adoption day, invite them to it. Let them see how important it is that wards of the state/province are getting forever families.
- Be creative, these are some ideas, but ultimately you are their boss, they should be responsive to your issues.



## Things to remember about dealing with legislators

- As a constituent you are their boss.
- With the way districts are drawn by both parties, there are many safe districts and you may have a less responsive legislator.
- If you don't like all their policies, keep that under wraps. You want their help, so don't antagonize them.
- In theory the legislator is working to keep your vote or earn your vote for the next election.
- Adoption tends to be bi-partisan/multi-partisan, something both parties can agree on.



## Things to remember about dealing with legislators

- Legislators may have different things that really get them engaged:
  - Some may need that personal story to make it real and pull on the heart strings.
  - Some may be number crunchers and they want data on the cost benefit analysis.
- If you connect with a legislator, develop that relationship. They may be the lead legislator to introduce bills you want and persuade other legislators.



## Working with administrators

- When advocating be respectful
  - Do not burn bridges.
- State staff can be crucial allies.
  - They may want the same outcome but can't advocate for it.
  - They may be able to provide you with data to help make your case.
- If legislation gets passed, they will be involved with administering it.
- There may be changes to rules/administrative code/policy that doesn't require the legislature. State agencies may have e-mail lists about rules changes and the ability for public comment (often in writing).



## Talking Points

Families face special challenges raising adopted children with special needs

- Currently, 125,000 foster children in the United States are waiting for an adoptive family. Adoption assistance (also known as adoption subsidy) is a critically important tool to encourage the adoption of these children and youth who have special needs.
- Many foster children waiting for adoption—and the children already adopted from foster care—have special physical, mental health, and developmental needs. Studies show that these children are at heightened risk of moderate to severe health problems, learning disabilities, developmental delays, physical impairments, and mental health difficulties.



## Talking Points

In one survey, adoptive families reported that:

- 58 % of their children needed specialized health care,
- 68 % had an educational delay,
- 69 % exhibited misconduct, and
- 83 % exhibited some other kind of serious behavioral problem.



## Talking Points

Children adopted from foster care face many more challenges than healthy birth children. And parenting children who have endured abuse, neglect, or other traumas—especially those who suffer from mental health problems or never learned to attach to a family—can be very difficult. It is only logical that governments would offer equitable, case-specific assistance to all families who care for children brought into government custody, yet adoptive families often receive significantly less financial aid and fewer services than foster parents.



## Talking Points

Adoption has important benefits for children and youth

- Adoptive families provide love and emotional security for their children, the stability of a committed family who will be there for them throughout childhood and into adulthood, a place to call home, and financial support. Like other parents who provide, on average, \$38,000 in assistance to their children between ages 18 and 34, adoptive parents continue to provide support for their children as they transition into adulthood—support that is not likely to be available for youth who do not leave foster care for permanent families.



## Talking Points

Research has demonstrated that youth who are adopted, when compared to youth in foster care, are:

- more likely to complete high school or the equivalent,
- more likely to attend and complete college,
- less likely to become teen parents,
- less likely to abuse drugs and alcohol,
- less likely to have mental health problems,
- less likely to be arrested or incarcerated,
- more likely to be employed, and
- more likely to have adequate incomes (with one study showing that individuals adopted from foster care have incomes that are 75 percent higher than young adults who age out of foster care).



## Telling Personal Stories

- A key component of any advocacy strategy is finding personal stories that demonstrate the importance of the change you seek. Personal stories:
  - lend credibility to a problem or solution
  - put a human face on a problem or solution
  - help others identify with a problem or solution
  - engage a reader's heart, stir compassion
  - move people to action to solve the problem or contribute to a solution



## Telling Personal Stories

In adoption assistance advocacy, the stories should demonstrate how the monthly benefit or medical insurance made a difference to the child or youth. For example, if the family couldn't have adopted without adoption assistance, the story might explore how adoption has changed the youth's behaviors and is leading toward a brighter future. Or, the story might discuss how the family used the adoption assistance to help the child function better in school, at home, or in the community. Be careful not to focus on the money itself or to talk about things that might be considered luxuries.



## Youth speak out

- See you tube clip
- <http://www.youtube.com/watch?v=ZL8lydj947Q>



## Other advocacy tools

A lot of advocacy comes from long term raising awareness, here are some other ideas:

- Get media to highlight the good stories, like National Adoption Day.
- Foster doll project
- Use social media
- Create a visual display to represent children in the child welfare system



## Other advocacy tools

6,029 pairs of shoes were placed on the capital steps – each pair representing a child in Foster Care in Alabama. The message of the rally was clear: Put Foster Children first. Kids to Love Founder Lee Marshall shared the startling statistic “Lawmakers in Alabama make \$134.25 a day, it cost \$35.98 to house a prisoner in Alabama a day. Foster children in our state receive between \$8 to \$14 a day.



## Other advocacy tools



## Research

- Three great places to look for research are NACAC's publications (<https://www.nacac.org/help/adoption-assistance/advocating-for-adoption-assistance/>):
  - The Value of Adoption Subsidies
  - Adoption Assistance Advocacy Toolkit
  - The Vital Role of Adoption Subsidies
- "A Comparison of the Governmental Costs of Long-Term Foster Care and Adoption," in *Social Service Review*, by Richard P. Barth, Chung Kwon Lee, Judith Wildfire, & Shenyang Guo, March 2006.
- "The Economics of Adoption of Children from Foster Care," American University Department of Economics Working Paper, by Mary Eschelbach Hansen and Bradley A. Hansen, September 2005.



## Research

- "The Economics of Adoption of Children from Foster Care," *Child Welfare* Vol. LXXXV, #3, by Mary Eschelbach Hansen and Bradley A. Hansen, May/June 2006.
- *Ending the Foster Care Life Sentence: The Critical Need for Adoption Subsidies—A Survey of Adoptive and Pre-Adoptive Parents*, by Children's Rights, July 2006.
- "Title IV-E Claims and Adoption Assistance Payments," *AFCARS Adoption Data Research Brief* Number 5, by Mary Eschelbach Hansen, June 2006.
- "Understanding Adoption Subsidies: An Analysis of AFCARS Data," by the U.S. Department of Health and Human Services, January 2005
- "The Value of Adoption," American University Department of Economics Working Paper, by Mary Eschelbach Hansen, December 2006.



## Specific ideas for advocacy

- If your state has a maximum subsidy ceiling lower than the foster care rate.
- Increasing the foster care and adoption subsidy rates
- Extending subsidy to age 21
- Creating a tuition waiver program
- Other services – such as respite, child care, etc...



## Subsidy rates

- Subsidy rates up to maximum foster care rate.
  - A state CAN but is not required to have a subsidy rate up to the maximum foster care rate.
  - A state is allowed to have a lower ceiling, but not required to.
  - States can offer the maximum subsidy rate, their negotiation can be an offer of the maximum rate.
  - If your state already has equal rates and offers the maximum, but the rates are very low, then advocate for foster care and adoption subsidy rates to increase.



## Subsidy to age 21

- Many states do provide subsidy past the age of 18, but often with conditions.
- State funds – can fund all children
  - Some states fund children still in school – can be high school or college (or both)
- Federal funds
  - If the child has a disability that warrants continuation of adoption subsidy to age 21.
  - Youth adopted at age 16 or older if they meet certain requirements:
    - the youth to be completing secondary school (or equivalent),
    - enrolled in post-secondary or vocational school,
    - participating in a program or activity that promotes or removes barriers to employment,
    - employed 80 hours a month,
    - or to be incapable of any of these due to a documented medical condition



## Other services

- Adding specific services
  - Is it covered by other programs, such as Medicaid, or a requirement of the schools?
- How much will it cost?
- Who will be eligible for it?



## Two examples of state advocacy

- Since 2009 Indiana has put children who met the state definition of special needs, but didn't qualify for federal funding (Title IV-E) on a wait list to receive adoption subsidy in the future.
- Washington State first put into temporary policy, then passed by the legislature to set a lower limit on the amount of Adoption Support that is available. Policy was 90% of foster care rate, from July 1, 2013 to June 30, 2017, the law has been 80% of the foster care rate.
- On the next few slides and on web pages we will see some of the reasons behind this.



## Indiana

In 2014 State of the State address, Governor Pence said: "Let's also remember that families come together in many different ways. Like the family of Karen Sauer. Karen is a single mom who felt called to adopt. She adopted her two children, Neven and Dusten, when they were 11 and 12 years old, after they had both been in foster care for some time. Karen says people always tell her she's changing her kids' lives. She says, "They are changing mine." Please join me in welcoming Karen and her children tonight. Adoption is a beautiful way for families to come together forever. We can better support families like Karen's by expanding and improving adoption in Indiana. We can improve the way we place children from state care into adoptive homes, and we can support every parent who is willing to lovingly adopt a child into their home. Let's make it our aim to make Indiana the most pro-adoption state in America."



## Indiana

- What did the Indiana legislature do? What did the governor call for?
  - They passed an adoption tax credit.
  - They did not seek to fund the hundreds (or thousands) of children who had been promised an adoption subsidy when there were funds.
- Indiana finally started funding that program in 2014 after a parent had said enough is enough and sought a class action lawsuit.
- Lawsuit only funded state subsidy from July 1, 2014 to June 30, 2015.



## Indiana

- 2015 budget session
- Governor Pence's State of the State: "That's why we advanced a tax credit for adoptive parents and fully fund our adoption subsidy going forward."
- In recommended budget, under Serving Those in Need:
  - The budget provides \$11 million per year to fund the State Adoption Subsidy program at the Department of Child Services.
  - The program continues to be funded.



## Washington State

- Adoption caseloads have significantly increased as the Department focuses on achieving permanency for children. The state pays adoption support payments to parents who adopted from the state foster care system. The number of children in foster care began decreasing consistently in 2009 (but have started to rise again in the past few years).
- See charts:
  - <http://leg.wa.gov/Senate/Committees/WM/Documents/Senate%20Ways%20and%20Means%20Briefing%20Book%20-%20November%202013.pdf> (p 46)
  - <http://leg.wa.gov/Senate/Committees/WM/Documents/2015%20Operating%20Budget%20Briefing%20Book.pdf> (page 51)



## Washington State

- <https://app.leg.wa.gov/RCW/default.aspx?cite=74.13A.007>
- RCW 74.13A.007— Adoption support expenditures—Findings—Intent.
- The legislature acknowledges that the best way to reduce adoption support and foster care expenditures is to safely prevent children from entering the foster care system. However, the legislature also finds that the recent prospective reduction to adoption support payments set forth in chapter 50, Laws of 2011 1st sp. sess. has not, to date, adversely impacted permanency for foster children in need of adoptive homes.
- Therefore, the legislature intends to continue the adoption assistance rate reduction beyond the period set forth in the operating budget, while focusing on sustainable long-term efforts to prevent children from entering the foster care system, such as pursuing a potential federal Title IV-E waiver, which if granted, would allow Washington to reinvest dollars otherwise spent on foster care in prevention programs.
- The legislature also finds that many adoptive parents spend adoption support payments on additional mental health services for adoptive children that are not currently covered by existing public programs. The legislature intends to offset adoption support payment expenditures by facilitating efforts to improve the access and quality of existing mental health services for adoptive families in the long term.



## Washington State

- <https://app.leg.wa.gov/rcw/default.aspx?cite=74.13A.047>
- RCW 74.13A.047—Adoption assistance payments—Expenditure limits.
- (2)(a) (i) For a child under the age of five, no more than eighty percent of the foster care maintenance payment for that child had he or she remained in a foster family home during the same period.
- (ii) For a child aged five through nine, no more than ninety percent of the foster care maintenance payment for that child had he or she remained in a foster family home during the same period.
- (iii) For a child aged ten through eighteen, no more than ninety-five percent of the foster care maintenance payment for that child had he or she remained in a foster family home during the same period.
- (b) This subsection applies prospectively to adoption assistance agreements established on or after October 19, 2017.  
(4) The department must request, in writing, that adoptive families with existing adoption support contracts renegotiate their contracts to establish lower adoption assistance payments if it is fiscally feasible for the family to do so. The department shall explain that adoption support contracts may be renegotiated as needs arise.



## US Statistics

- AFCARS
  - Special needs years 2012-2016  
[https://www.acf.hhs.gov/sites/default/files/cb/special\\_needs\\_2012\\_2016.pdf](https://www.acf.hhs.gov/sites/default/files/cb/special_needs_2012_2016.pdf)
  - Adoption Assistance years 2012-2016  
[https://www.acf.hhs.gov/sites/default/files/cb/adoption\\_subsidy2012\\_2016.pdf](https://www.acf.hhs.gov/sites/default/files/cb/adoption_subsidy2012_2016.pdf)
  - Age at finalization  
[https://www.acf.hhs.gov/sites/default/files/cb/final\\_age2016.pdf](https://www.acf.hhs.gov/sites/default/files/cb/final_age2016.pdf)
  - Child Welfare Outcomes for 2010-2014  
[https://www.acf.hhs.gov/sites/default/files/cb/cwo10\\_14.pdf](https://www.acf.hhs.gov/sites/default/files/cb/cwo10_14.pdf)



## US Statistics

- 2019 US Budget (page 104)
- <https://www.hhs.gov/sites/default/files/fy-2019-budget-in-brief.pdf>
- The Budget requests \$8.8 billion for the Foster Care, Adoption Assistance, Guardianship Assistance, and Independent Living programs, an increase of \$288 million over FY 2018
- [https://www.acf.hhs.gov/sites/default/files/olab/acf\\_master\\_cj\\_acf\\_final\\_3\\_19\\_0.pdf](https://www.acf.hhs.gov/sites/default/files/olab/acf_master_cj_acf_final_3_19_0.pdf)
- Page 319 of 375 of pdf – state foster care costs.
- Page 321 of 375 of pdf – state adoption assistance costs.



## Any final questions on Adoption Subsidy Advocacy?

- More information on our web site, [www.nacac.org](http://www.nacac.org) at <https://www.nacac.org/help/adoption-assistance/advocating-for-adoption-assistance/>
- Call our office, 651-644-3036 or 1-800-470-6665 extension 115 at either number.
- Email me, [joshk@nacac.org](mailto:joshk@nacac.org)

