

THE SOCIAL WELFARE ACT (EXCERPT)
Act 280 of 1939

400.115i Adoption assistance agreement; redetermined adoption assistance agreement; medical subsidy agreement; copy; modification or discontinuance; legal status, rights, and responsibilities not affected; report.

Sec. 115i.

(1) If adoption assistance is to be paid, the department and the adoptive parent shall enter into an adoption assistance agreement that includes all of the following:

- (a) The duration of the adoption assistance to be paid.
- (b) Notice of potential eligibility for redetermined adoption assistance.
- (c) The amount to be paid and, if appropriate, eligibility for medical assistance.
- (d) Conditions for continued payment of the adoption assistance as established by statute.
- (e) Any services and other assistance to be provided under the adoption assistance agreement.
- (f) Provisions to protect the interests of the child in cases in which the adoptive parent moves to another state while the adoption assistance agreement is in effect.

(2) If it is determined that a child is eligible for redetermined adoption assistance under this act, the department and the adoptive parent shall enter into a redetermined adoption assistance agreement that includes all of the following:

- (a) The duration of the redetermined adoption assistance to be paid.
- (b) The amount of redetermined adoption assistance to be paid.
- (c) If appropriate, eligibility for medical assistance.
- (d) Conditions for continued payment of the redetermined adoption assistance. Conditions shall be the same as for adoption assistance as established by law.
- (e) Any services and other assistance to be provided under the redetermined adoption assistance agreement.
- (f) Provisions to protect the interests of the child in cases in which the adoptive parent moves to another state while the redetermined adoption assistance agreement is in effect.

(3) If medical subsidy eligibility is certified, the department and the adoptive parent shall enter into a medical subsidy agreement covering all of the following:

- (a) Identification of the physical, mental, or emotional condition covered by the medical subsidy.
- (b) The duration of the medical subsidy agreement.
- (c) Conditions for continued eligibility for the medical subsidy as established by statute.

(4) The department shall give a copy of the adoption assistance agreement, the redetermined adoption assistance agreement, or medical subsidy agreement to the adoptive parent.

(5) Unless the medical condition of the adoptee no longer exists, or an event described in section 115j has occurred, as indicated in a report filed under subsection (7) or as otherwise determined by the department, the department shall not modify or discontinue a medical subsidy.

(6) An adoption assistance agreement, redetermined adoption assistance agreement, or medical subsidy agreement does not affect the legal status of the adoptee or the legal rights and responsibilities of the adoptive parent.

(7) The adoptive parent shall file a report with the department at least once each year as to the location of the adoptee and other matters relating to the continuing eligibility of the adoptee for adoption assistance, redetermined adoption assistance, or a medical subsidy.

History: Add. 1994, Act 238, Eff. July 5, 1994 ;-- Am. 2002, Act 648, Imd. Eff. Dec. 23, 2002 ;-- Am. 2009, Act 17, Imd. Eff. Apr. 9, 2009 ;-- Am. 2014, Act 308, Imd. Eff. Oct. 10, 2014

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