



## National Clearinghouse on Child Abuse and Neglect Information National Adoption Information Clearinghouse



*Gateways to Information: Protecting Children and Strengthening Families*

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### Adopting a Child With Special Needs

In the United States, more than 110,000 children with special needs are waiting for permanent homes. Traditionally, children with special needs have been considered harder to place for adoption than other children, but experience has shown that many children with special needs can be placed successfully with families who want them. The Adoption and Safe Families Act of 1997 (P.L. 105-89) has focused more attention on finding homes for children with special needs and making sure they receive the post-adoption services they need. Congress enacted the law to ensure that children in foster care, who cannot be reunited with their birth parents, are freed for adoption and placed with permanent families as quickly as possible.

For many people the term "special needs" means a child who receives or needs special education or who has a disability of some sort. In adoption, the term is defined differently and may include the factors listed below. Guidelines for classifying a child as "special needs" vary by State. Children with special needs range in age from infants to 18 years. In general, children with special needs are those who:

- Have physical or health problems
- Are older
- Are members of ethnic or racial minorities
- Have a history of abuse or neglect
- Have emotional problems
- Have siblings and need to be adopted as a group
- Test positive for HIV
- Have documented conditions that may lead to future problems
- Were prenatally exposed to drugs or alcohol.

Almost all children who meet the special needs guidelines and who are available for adoption are currently in the public foster care system. Some have moved through several different foster placements.

Almost any prospective adoptive parent who has the commitment, skills, and preparation to parent may adopt a child. Agencies differ in their specific requirements for adoptive parents. Requirements for adopting a child with special needs tend to be less restrictive than requirements for adopting a healthy infant. Agencies will consider both single and married applicants, ranging in age from 18 to 50 or sometimes even older. The consideration of an adoptive parent's age many times depends upon on the age of the child, if the State has age restrictions, or the individual's situation. Most agencies require couples to be married a minimum of 1 to 3 years. Divorce, physical challenges, or a history

#### What Does "Special Needs" Mean?

#### Who May Adopt a Child With Special Needs?

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The Clearinghouses are services of  
The Children's Bureau  
Administration for Children and Families  
U.S. Department of Health and Human Services



## Could I Parent a Child With Special Needs Successfully?

of personal counseling do not necessarily disqualify a an applicant from adopting. Applicants need not be wealthy or own a home.

Parents who adopt children with special needs will need to take the time to decide if they have the emotional, physical, mental, and financial resources to be a successful parent. It will be helpful to make a self assessment before deciding to adopt, considering such questions as:

- How many children can I take?
- How much contact with the birth relatives would I be comfortable with?
- Do I have enough support from family and friends to help me when I need it?
- Is my lifestyle flexible enough to handle a child with special needs?
- What disabilities, or mental, emotional, physical, behavioral challenges can I handle?

Some parents who adopt children with special needs tend to already have large families with many biological children and/or other adopted or foster children. They see themselves as having the special skills necessary to handle the special needs of a child. These adoptive families also tend to have had previous experience with health care professionals, school systems, and administrators which helps them to navigate systems to advocate on behalf of their children. The parents know from their personal experience that every child is different and that all children have at least one difficulty--some are just more serious than others. The motivation shifts for these families from wanting to adopt infants to form a family to providing for the quality of life for additional family members.

Although you may not be just like the families described above, the odds are in your favor. The great majority of special needs adoptions create lasting families. Between 10 and 20 percent of all types of adoptions end in "disruption or dissolution" in which the child returns to agency custody to live in foster care or institutional care. That means that 80 to 90 percent of all special needs adoptions are successful. A disruption is less likely to occur, however, when a family and child receive support services when they need them. Work with adoption professionals to ensure that you adopt a child that you can care for successfully and to ensure that you will be able to secure the services that your child needs. This fact sheet will tell you more about pre-adoption and post-adoption assistance and services available to families adopting a child with special needs.

## What Is the First Step?

The search for a child begins, in most cases, at the agency level. You will want to contact both public and private adoption agencies to see what children they have available for adoption. Many private agencies vary on the children available. Agencies that do have religious affiliations many times will work with families that are not of the same religious affiliation as the agency. Keep in mind, if you have already located a child or are adopting a relative with special needs, the adoption process may vary slightly.

As a prospective adoptive parent you may want to attend several agencies' orientation meetings to see which agency would be the best match for you. After you have determined which agency would be best for you, the next step is to complete the application process. You will be required to fill out application forms, which will help the

agency choose a child to best suit your needs. If you find the forms intimidating don't hesitate to ask fellow adoptive parents or agency workers for assistance. The application fee may vary by agency and is usually non-refundable if you decide not to adopt or to go with a different agency. Application fees for a pre-selected child may be reduced or reimbursed. You may want to ask the agency when turning in the application how long the application process may take and how would the process be affected if you moved.

After determining from your application that you meet any basic requirements, your agency will arrange for your "home study." The home study is the heart of the adoption process. A home study is a series of meetings between a licensed social worker and prospective adoptive parents. Both public and private agencies will assign you a social worker to conduct your home study. Some States allow licensed private social workers to do home studies. Check with your State Adoption Specialist for more information on what is allowable under your State laws.

During the home study, the social worker interviews the prospective parent or parents and pays at least one visit to the prospective family's home. Some agencies interview husbands and wives both individually and jointly. Others conduct group home studies with several families at one time, including single and married applicants. If the family already includes children, they may be included in interviews with their parents. Most agencies also ask applicants for written information about themselves and their life experiences and ask for copies of certain documents, such as birth certificates and marriage licenses.

The home study gives parents an opportunity to learn more about adoption and parenting and helps families prepare for adoption. It also is a time for parents to explore what type of special needs they can accept. The home study enables the social worker to verify that the prospective parents can successfully nurture and rear a child. Topics for discussion during a home study might include whether adoption is the right choice for the particular family, parenting skills, ways to introduce extended family to adoption, and ways to help a child adjust to his or her new family. Home visits help the social worker determine if the environment will be a safe and nurturing home for a child.

Keep in mind that the home study is not a "white glove" test but rather a chance to decide if adoption is right for you and whether you will be able to provide a child with the love, attention, time, and care that the child needs and deserves. Most families who have adopted say the home study process was beneficial. It allowed them to consider their individual feelings about adoption, to explore their readiness for a child and for the special challenges of parenting a child with special needs.

Many States offer extensive training to help prospective adoptive families to better understand and meet their children's unique needs. During the home study, adoptive parents can also be offered some post-adoption training and support services. Check with your local public agency to find out if such training is available.

When the home study has been completed, the agency will often present photographs, personal background available from the foster families, descriptions of children who are available to the family and will follow up if the family shows an interest in a particular child. Since many children with special needs are legally free for adoption and are already waiting for permanent homes, you may have to wait only a short time for a child to be

## How Are Children Matched With Families?

selected and the placement process to begin. Keep in mind that the main goal of the agency is to find the children available the best homes to fit their needs. If the agency is taking awhile to place a child with you it may be because they have not found the appropriate match for your family.

Many States have exchanges that list available children from both public (and occasionally from private) agencies from throughout that State. If you have Internet access you can locate a listing of exchanges on the NAIC Web site and view online photos and descriptions of waiting children.

You also can search for a child through regional, national, and international exchanges. Regional and national exchanges take referrals of waiting children from several States and circulate information about adopting these children. These exchanges, which provide services free of charge, do not have children in their custody, but help to facilitate placements. As a person interested in adopting a child with special needs, you may want to contact one or more exchanges. You may be able to register yourself as a waiting parent, or you may have to have your social worker do it for you.

Newspapers and television stations often focus on children with special needs through "Waiting Child" columns and programs. These features usually appear regularly and highlight children in the communities they serve who need permanent homes. The columns or television spots will provide contact phone numbers.

Two organizations that may help you locate a child with special needs to become part of your family are the National Adoption Center and Children Awaiting Parents (CAP), which publishes *The CAP Book*. *The CAP Book* has photolistings of children throughout the United States who need adoptive families. Agency workers who register the child must be willing to place a child across State lines. Local adoptive parent groups or adoption agencies may have this book. For further information you can contact Children Awaiting Parents, Inc., 700 Exchange Street, Rochester, NY 14608, (716) 232-5110.

The Adoption Exchange Association, a private, nonprofit organization that promotes adoption opportunities for children with special needs, operates an online national photolisting of children called AdoptUSKids and a database of prospective parents. AdoptUSKids is an initiative of the Children's Bureau of the Administration for Children and Families, U.S. Department of Health and Human Services. Families with completed adoption home studies may register with AdoptUSKids. Contact the AdoptUSKids at the Adoption Exchange Association, 8015 Corporate Drive, Suite C, Baltimore, MD 21236 (888) 200-4005. You may view the AdoptUSKids photolisting online at <http://www.adoptuskids.org>.

Usually, parents who adopt a child with special needs are charged no fee or only a small one. Parents who adopt a child with special needs may be reimbursed for certain adoption-related expenses. Federal and State programs offer financial assistance to adoptive parents for special care and services that the child needs. Financial assistance is offered to help families overcome barriers to adopting that exist due to the costs of adoption so that waiting children have permanent families. It is not a reimbursement for the child's special needs but rather financial assistance to help adoptive families meet the child's needs. Independent and intercountry adoptions are not eligible for financial

## What Does an Adoption Cost?

assistance. However some States will reimburse for non-recurring adoption expenses in an intercountry adoption.

### **Reimbursement of Non-Recurring Adoption Expenses**

Adoptive parents of a child with special needs may be eligible for a one-time payment of non-recurring adoption expenses incurred in connection with the adoption of a child. Such expenses include reasonable and necessary adoption fees, court costs, attorney fees, and other expenses directly related to the legal adoption of a child with special needs. The parents apply for the reimbursement from the State as part of the assistance application and an agreement must be in place prior to the finalization of the adoption. Also, a portion of adoption expenses may be tax deductible.

### **Federal Title IV-E Adoption Assistance Program**

The Federal Title IV-E adoption assistance program provides financial assistance in the form of monthly payments to parents of eligible children. The funds may be used to meet any of the child's ordinary and special needs. The maximum payment may not exceed the amount paid to foster parents to maintain the child in State foster care.

In order for a child to be eligible for Title IV-E adoption assistance, he or she must have been eligible for Temporary Assistance for Needy Families (TANF) or Supplemental Security Income (SSI) programs under the Social Security Act before adoption. A child for whom Title IV-E adoption assistance is provided is automatically eligible for medical assistance under Title XIX (Medicaid) and for social services under the Title XX plan in each State, as though he or she were a TANF recipient. Payments and services can continue until the child reaches age 18 or until age 21 if the State determines continuation is warranted. They continue in the event that the family moves to another State, and are not affected by State eligibility requirements.

Adoptive parents do not have to meet any financial eligibility criteria in order to receive adoption assistance for a Title IV-E eligible child. Parents may decide, however, not to receive money payments even though the child is eligible; it is possible to put a subsidy in place but not receive payments until the child needs services at some later date. If so, the parents would still be eligible for reimbursement of non-recurring adoption services.

### **State Adoption Subsidy Programs**

State adoption subsidy programs provide assistance for children who are not eligible under the Federal Title IV-E program. Adoption subsidies take on various forms in the different States, depending upon the child's needs and the State agency's program. Generally, State subsidies fall into three categories: medical, maintenance, and special services.

Medical subsidies cover some or all the costs related to a child's specific medical condition that are not covered by the family's health insurance, including associated therapy, rehabilitation, and special education. Some States provide medical assistance through Medicaid, which also covers health care needs not covered by the adoptive family's health insurance policy.

Maintenance or support subsidies are direct payments to the adoptive family to help pay for the child's living expenses. Special services subsidies are usually one-time payments to cover a child's emergency or extraordinary need; less often, they are repeated payments for services not covered by the medical or maintenance subsidies. It is important to check with your State to determine what services are allowable.

Each State program is different; be sure to contact the local Department of Social Services to find out what support your State offers. If you plan to adopt a child from another State, ask your social services or adoption agency for information on the Interstate Compact on the Placement of Children (ICPC) and the Interstate Compact on Adoption and Medical Assistance (ICAMA).

ICPC (which has the force of law within and among all 50 States, the District of Columbia, and the US Virgin Islands) applies to placements of minor children made from one State to another by public and private agencies, the courts, independent placers (i.e., physicians and attorneys), and individuals. The ICPC establishes uniform legal and administrative procedures governing the interstate placement of children. It is designed to transition and monitor the child's placement and ensure agency services when a child is moved from one State to another. ICAMA is an agreement which has the force of law between member States that governs the interstate delivery of medical services and adoption subsidies for adopted children with special needs. This compact insures that the child will not lose benefits when he moves to another State to be adopted or when his adoptive family later moves to another State.

For information on adoption subsidies in all 50 States and the District of Columbia, contact the National Adoption Assistance Training Resource and Information Network (NAATRIN), operated by the North American Council for Adoptable Children (NACAC), at (800) 470-6665, or visit the NACAC's Web site at <http://www.nacac.org/adoptionssubsidy.html>. This project, originally funded by a Federal Adoption Opportunities grant, collected information from each State about its definition of "special needs," available service programs and subsidies, and the process for obtaining assistance. State profiles list contact information for the Subsidy Administrator in each State. Contact information for volunteers trained in adoption subsidies programs is also included for each State.

### **Other Financial Resources**

Beginning in 1997 through 2001, adoptive parents may receive a tax credit for domestic and intercountry adoption expenses. After 2001, only adoptive parents participating in a domestic adoption of a child with special needs may be eligible for the adoption tax credit. Parents who are adopting a child through an intercountry or domestic program may receive a tax credit of \$5,000. Parents who are adopting a child who meet a State's definition of special needs may receive a tax credit of \$6,000.

Many employers offer adoption benefits to their employees. The National Adoption Center offers a listing of employers who provide adoption benefits. To request a copy of the listing contact the National Adoption Center at (800) TO-ADOPT.

You may try arranging a loan with your bank to cover adoption expenses. See what flexible loans your bank may offer that could possibly be used for adoption expenses.

Some banks are starting loan programs that are specifically for adoption expenses. The National Adoption Foundation (NAF) through a joint program with MBNA America Bank, offers adoption loans. NAF also offers adoption grants to adoptive parents. You can contact the National Adoption Foundation at 100 Mill Plain Road, Danbury, CT 06811, (203) 791-3811. The National Endowment for Financial Education has published a free booklet entitled *How To Make Adoption an Affordable Option*, which is available through the National Adoption Information Clearinghouse (NAIC).

### **What Services Are Available for My Family After Adoption?**

After placement, some agencies offer post-adoption services for families. These services can include support groups, individual and family counseling, and workshops on specific topics of parenting. Many times if the child was receiving therapy or special schooling before the adoption, he or she will continue with it. Make sure you are knowledgeable about how services may change when you adopt the child, and what new services will be available to you. The family social worker keeps in contact after the child is placed to help ease the adjustment and offer guidance to you and your family. Be sure to inquire about respite care. Parenting a child with special needs is often a challenge, and you might need an occasional break.

You also might consider joining a national support group or even a support group located in your State (which may or may not be associated with the agency that placed your child). There you can share with other families issues of raising a child with special needs. Ongoing contact with other families who are parenting children with special needs has proven invaluable to families in sorting out adoption issues from normal "growing pains," in finding adoption-competent services for their child, and in mutual support.

Some adoptive parents may be reluctant to request or utilize services because they fear this will indicate that they are inadequate. On the contrary, the ability to identify and access targeted services is a strength of those who successfully parent a child with special needs.

### **How Can I Learn More About Parenting Children With Special Needs?**

Parent support groups are a valuable resource. Families who have adopted children with special needs can share their experiences and guide interested families through the process of deciding whether this is the best plan for them, or which types of special needs they can accept. Some parent support groups focus on parenting children with specific special needs. You may obtain a list of these groups by looking under "Adoption" in the Yellow Pages, telephone directory, or the Internet. You will also want to search the Internet under terms such as cerebral palsy, attachment disorder, and down syndrome for more information.

Other resources, such as the North American Council on Adoptable Children, Adoptive Families of America, or Child Welfare League of America may offer additional materials and referrals to help you parent your child with special needs or to locate support groups geared to your specific needs.

Libraries can provide general adoption information. Many have books on adoption, and an increasing number are keeping articles and materials on current trends in adoption, including children with special needs, single parent adoption, and transracial adoption.

**Conclusion**

Thousands of children with special needs wait for families to offer them a permanent home. Often the stability and safety of an adoptive family can provide children with the healing atmosphere and loving ties that can change their lives. Adoptive parents who want to give these children permanent homes are offered some resources such as subsidy and support services to help them parent a child with special needs. While parenting a child with special needs can sometimes be a challenge, it also can be a rewarding experience for both the adoptive parent and the child.

In the words of Charlotte Lopez, Miss Teen USA 1993, who had gone through seven foster care placements before being adopted at age 17, "Clearly, the \_\_\_\_\_ (name of foster family) never understood how important adoption was to me. They loved us. They wanted to keep us. They felt that was enough. I believe that their position was based on the notion--shared by many people involved in foster care--that adoption is pretty much an empty ritual, a bureaucratic step up from foster care with no deep meaning in and of itself. For me, nothing could have been further from the truth."

**Additional Resources**

Search the NAIC National Adoption Directory (<http://naic.acf.hhs.gov/general/nad/index.cfm>) for listings of:

- Adoptive parent support groups in all 50 States
- Public and private licensed agencies
- Adoption exchanges and photolistings services
- State Adoption Specialists

NAIC also offers a resource listing of national organizations serving families of children with special needs ([http://naic.acf.hhs.gov/pubs/reslist/rl\\_dsp.cfm?subjID=3&rate\\_chno=11-11181](http://naic.acf.hhs.gov/pubs/reslist/rl_dsp.cfm?subjID=3&rate_chno=11-11181)).