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## HOUSE BILL NO. 2271

Offered January 16, 2013

A BILL to amend and reenact § 63.2-1300 of the Code of Virginia, relating to adoption assistance payments and post-adoption services for children adopted from foster care.

Patron—Orrock

Referred to Committee on Health, Welfare and Institutions

**Be it enacted by the General Assembly of Virginia:****1. That § 63.2-1300 of the Code of Virginia is amended and reenacted as follows:****§ 63.2-1300. Purpose and intent of adoption assistance; eligibility.**

The purpose of adoption assistance is to facilitate adoptive placements and ensure permanency for children with special needs. Adoption assistance may include Title IV-E maintenance payments, state-funded maintenance payments, state special services payments and nonrecurring expense payments made pursuant to requirements set forth in this chapter.

A child with special needs is a child who is a citizen or legal resident of the United States who is unlikely to be adopted within a reasonable period of time due to one or more of the following factors:

1. Physical, mental or emotional condition existing prior to adoption;

2. Hereditary tendency, congenital problem or birth injury leading to substantial risk of future disability; or

3. Individual circumstances of the child related to age, racial or ethnic background or close relationship with one or more siblings; or

4. Significant emotional ties between the child and his foster parents with whom he has lived for at least 12 months, when the child's foster parents wish to adopt the child and state-funded maintenance payments are necessary to facilitate the adoption.

A child with special needs will be eligible for adoption assistance if (i) the child cannot or should not be returned to the home of his parents and (ii) reasonable efforts to place the child in an appropriate adoptive home without the provision of adoption assistance have been unsuccessful. An exception may be made to the requirement that efforts be made to place the child in an adoptive home without the provision of adoption assistance when the child has developed significant emotional ties with his foster parents while in their care and that the foster parents wish to adopt the child.

**2. That the Department of Social Services shall develop a competitive bidding process whereby providers of post-adoption services to families who have adopted children from foster care in the Commonwealth enter into performance-based contracts for the purpose of providing such services in any fiscal year in which the Commonwealth receives more than \$100,000 in federal adoption bonus payments. In any fiscal year in which the total amount of federal adoption bonuses received by the Commonwealth is less than or equal to \$100,000, the state shall distribute such funds pursuant to existing adoption services contracts. Local departments of social services and child-placing agencies shall be eligible to compete for any federal bonus funding, provided any funds received are used for the provision of post-adoption services.**

INTRODUCED

HB2271