



CESAR A. PERALES  
 Commissioner

[An Administrative Directive is a written communication to local Social Services Districts providing directions to be followed in the administration of public assistance and care programs.]

**ADMINISTRATIVE DIRECTIVE**

TRANSMITTAL NO.: 85 ADM-39  
 [Family & Children Services]

TO: Commissioners of Social Services

SUBJECT: Adoption -  
 Revision of Annual Income Schedule for  
 Adoption Subsidy Payments

DATE: August 28, 1985

SUGGESTED DISTRIBUTION:  
 Directors of Social Services  
 Directors of Child Welfare Services  
 Authorized Adoption Agencies  
 Adoption Programs  
 Case Workers

CONTACT PERSON: Any question concerning this release should be directed to Ms. Marilyn Dickenson, Division of Family and Children Services, Bureau of Policy Planning by calling 1-800-342-3715, extension 4-9579.

I. Purpose

The purpose of this directive is to advise social service districts, authorized adoption agencies and adoption programs of the revision to the annual income schedule for adoption subsidy payments. This revision is being made pursuant to Social Services Law, Section 453.3 which requires an annual review of regulations governing the amount of monthly payment for a maintenance subsidy.

II. Background

New York State's adoption subsidy program began in 1968. In 1977 Social Services Law Sections 450-458 was enacted replacing the original subsidy statute. In part the new law established uniform statewide standards in determining child and parent eligibility for subsidy payments as well as the amount of payment that could be made.

FILING REFERENCES

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Social Services Law and Other Legal References	Bulletin/Chapter Reference	Miscellaneous Reference
78 ADM-4 79 ADM-47 83 ADM-43		421.24(b)(16) 431.7	SSL 450-458		

DSS-25 (V. 8/82)

Section 452 provided for the Department to establish income maxima for persons receiving subsidy on behalf of hard-to-place children while Section 453 established eligibility for maintenance subsidy for handicapped children. With the passage of the Chapter 989 of the laws of 1981, Section 453 now deals with maintenance subsidy for both handicapped and hard-to-place children.

III. Program Implications

State law mandates the payment of a maintenance subsidy, which can range from 100% to not less than 75% of the board rate for children eligible for subsidy payments. For districts which use the Schedules AD1 and AD2 to determine the level of the subsidy payment, the revised income schedule must be used as of the effective date of the regulations.

Persons adopting an eligible child whose income falls below the revised income threshold level must be given an adoption subsidy equal to 100% of the applicable board rate, unless the parent(s) voluntarily requests less in writing.

IV. Required Action

Districts which use Schedule AD-2 to determine the amount of maintenance subsidy are required to begin using the new income schedule immediately. Any subsidy agreements entered into by such districts on or after May 14, 1985 must be based on the revised schedule.

Districts shall substitute the revised income levels in any materials in which it is included for public information and if it is used in their presentations to the general public.

Districts shall inform NYSAS by December 1, 1985 whether they will use Schedule AD-2 or pay each adoptive parent 100% of the applicable board rate for a hard-to-place or handicapped child adopted or placed for adoption.

V. Effective Date

This release is effective May 14, 1985 the filing date of the regulations.

  
Joseph Semidei  
Deputy Commissioner  
Division of Family  
and Children Services

ATTACHMENT

STATE DEPARTMENT OF SOCIAL SERVICES

ALBANY, NEW YORK

Pursuant to the provisions of Sections 20(3)(d), 34(3)(f) and 453(3) of the Social Services Law, I, Cesar A. Perales, Commissioner of Social Services, do hereby amend Section 421.24(b)(9) of the Official Regulations of the State Department of Social Services, being Chapter II of Title 18 NYCRR, effective immediately upon filing with the Secretary of State.

Dated: May 10, 1985

Signed:

Cesar A. Perales

Commissioner

This is to certify that this is the original of an order of the State Department of Social Services, made on May 10, 1985 amending Section 421.24(b)(9) of the Official Regulations of the State Department of Social Services, being Title 18 NYCRR, the express terms of which were published in the New York State Register on February 6, 1985.

Dated: May 10, 1985

Signed:

Cesar A. Perales

Commissioner

Handwritten text at the top of the page, possibly a header or introductory paragraph. The text is faint and difficult to read.



Second block of handwritten text, continuing the document's content. The handwriting is cursive and somewhat illegible.



Third block of handwritten text, appearing as a separate section or paragraph. The text is very faint.

Fourth block of handwritten text, located in the lower half of the page. The text is sparse and difficult to decipher.



Paragraph (9) of subdivision (b) of Section 421.24 is amended to read as follows:

(9) Once an agreement to provide a subsidy payment is made, the annual income of the person(s) adopting the child shall be considered only for the purpose of determining the amount of the monthly payment to be made, according to the following income schedule and the provision of paragraphs (10) and (11) of this subdivision.

SCHEDULE AD-1

ANNUAL INCOME SCHEDULE--ADOPTION SUBSIDY PAYMENTS

Family size (including adopted child)	Gross annual income (one-parent family)	Gross annual income (two-parent family)
2	[ \$16,486 ] <u>\$20,355</u>	Not applicable
3	[ \$19,479 ] <u>\$24,051</u>	[ \$17,708 ] <u>\$21,864</u>
4	[ \$22,347 ] <u>\$27,592</u>	[ \$21,082 ] <u>\$26,030</u>
5	[ \$25,922 ] <u>\$32,006</u>	[ \$24,455 ] <u>\$30,195</u>
6	[ \$30,169 ] <u>\$37,250</u>	[ \$28,461 ] <u>\$35,141</u>
Each additional person	Add [ \$1,500 ] <u>\$1,850</u>	Add [ \$1,500 ] <u>\$1,850</u>

(Deleted material [brackets]; new material underlined.)

