

New Mexico Adoption Assistance- Who Do You Contact?

State Contact Information

Adoption Assistance Specialist	ICAMA Compact Administrator Or Contact
<p>NAME: Emily E. Garcia</p> <p>ADDRESS: Children, Youth and Families Department Protective Services PERA Bldg., Room 254, P.O. Drawer 5160 Santa Fe, New Mexico 87502</p> <p>E-MAIL: EEGarcia@cyfd.state.nm.us</p> <p>TELEPHONE: 505.827.8400</p>	<p>NAME: Emily E. Garcia</p> <p>ADDRESS: Children, Youth and Families Department Protective Services PERA Bldg., Room 254, P.O. Drawer 5160 Santa Fe, New Mexico 87502</p> <p>E-MAIL: EEGarcia@cyfd.state.nm.us</p> <p>TELEPHONE: 505.827.8400</p>
Adoption Program Manager or Contact	ICPC Compact Administrator Or Contact
<p>NAME: Linda McNall</p> <p>ADDRESS: Children, Youth and Families Department Protective Services PERA Bldg. Room 254, P.O. Drawer 5160 Santa Fe, New Mexico 87502</p> <p>E-MAIL: lsmcnall@cyfd.state.nm.us</p> <p>TELEPHONE: 505.827.8400</p>	<p>NAME: Peg Tassett or Soledad Martinez</p> <p>ADDRESS: Children, Youth and Families Department Protective Services PERA Building, Room 254 P.O. Drawer 5160 Santa Fe, New Mexico 87502</p> <p>E-MAIL: PAtassett@cyfd.state.nm.us or SPmartinez@cyfd.state.nm.us</p> <p>TELEPHONE: 505.827.8400</p>
Post Adoption Services Contact	Medical Assistance Specialist
<p>NAME: Linda McNall</p> <p>ADDRESS: Children, Youth and Families Department Protective Services PERA Bldg. Room 254, P.O. Drawer 5160 Santa Fe, New Mexico 87502</p> <p>E-MAIL: lsmcnall@cyfd.state.nm.us</p> <p>TELEPHONE: 505.827.8400</p>	<p>NAME:</p> <p>ADDRESS:</p> <p>E-MAIL:</p> <p>TELEPHONE:</p>

Adoption Assistance- Who is Eligible?

A good place to start. Public adoption in New Mexico is administered by the Children, Youth and Families Department (CYFD). CYFD and adoption links: www.cyfd.org (See the second carrot along the left hand margin: Foster a Future, *Adopt a Child, Adoption Guidebook, Steps to Becoming an Adoptive Parent*) or phone 800.432.2075.

1. What specific factors or conditions does your state consider to determine that a child cannot be placed with adoptive parents without providing financial assistance? ("What is your state definition of special needs?")

A child with special needs is defined as a child that has at least one of the following needs or circumstances that may be a barrier to placement or adoption without financial assistance:

- Five years of age or older
- Member of a minority group
- Member of a sibling group of two or more children to be placed together
- A diagnosis of a emotional, physical, psychological or mental condition requiring medical intervention

2. What are the eligibility criteria for your state-funded adoption assistance program?

In order to be eligible for state-funded adoption assistance a child must be a special needs child as defined above.

3. What is the maximum amount a family may receive in non-recurring adoption expenses from your state? Adoptive parents can receive reimbursement of certain approved, "one-time" adoption expenses incurred in the process of finalizing a special needs adoption.

\$2,000.00 per child

4. Does your state enter into deferred adoption assistance agreements? In some states, adoptive parents can enter into an agreement in which they choose to defer the receipt of a Medicaid card, the monthly monetary payment, or both and can elect to receive the Medicaid card and/or monetary payment at another time.

New Mexico offers deferred adoption assistance.

5. When may adoption assistance payments and benefits begin in your state?

Adoption assistance payments and benefits begin in New Mexico at adoption finalization.

6. How are changes made to the adoption assistance agreement in your state?

- a. When can a parent request a change in the adoption assistance agreement?
- b. How does a parent request a change in the adoption assistance agreement?
- c. What if a parent does not receive the change they request in the adoption assistance agreement?

Adoptive parents can request a change in the adoption assistance agreement at the time of the annual review and renewal of the agreement if there is a change in the circumstances of the family or the needs of the child.

Adoption assistance agreements are renewed annually and it is then that parents have the opportunity to request a modification in the agreement. Parents are directed to submit a written request for change in the agreement to the central adoption assistance specialist and substantiate the need for change with documentation supporting the changed family circumstances or increased/decreased needs of the child. The source of the required documentation depends on the needs of the child. The request for a change in the assistance maintenance payment cannot exceed the maximum amount the child would have been eligible for in foster care. The adoptive parents can appeal a decision they disagree with regarding adoption assistance benefits. The request needs to come in writing to the Adoption Subsidy Specialist at the address given below. The appeal request is directed to the CYFD Office of General Counsel and a hearing officer is appointed. The hearing officer notifies the adoptive parents of the day, time and location of the hearing. Send requests for changes to an adoption assistance agreement to the following address:

Attn: Adoption Subsidy Specialist
Children, Youth and Families Department, Protective Services
P.O. Drawer 5160
Santa Fe, New Mexico 87502

Adoption Assistance- Post Adoption Services

7. What types of post adoption services are available in your state and how do I find out more about them?

Post-adoption services in New Mexico are administered by the Children, Youth and Families Department, Protective Services Division through CYFD and private and parent organizations. Post adoption services include the following examples:

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| 1. Information and referral | 4. Specialized equipment | 7. Psychological services |
| 2. Support groups | 5. Residential treatment | |
| 3. Therapeutic intervention | 6. Mediation/search services | |

State funds are used to provide for needed post adoption services not covered under the state's Medicaid program. Local placement services social workers are available to adoptive families to discuss resources and have information regarding process, eligibility, availability, and duration of services. Adoption assistance does not pay for respite but there are contractor organizations that do offer a variety of respite options. Many private organizations offer a variety of respite options. See New Mexico's Respite Programs link: www.respitelocator.org/n4states.htm.

See also the New Mexico Children's Medical Services Medical Home Project, Medical Home Initiatives for Children with Special Needs, link: www.health.state.nm.us/phd/medhome2/firstpage.htm.

Note: Not all services may be available in all cases. Contact your local placement services social worker for information regarding process, eligibility, availability, and duration of services.

Adoption Assistance- Medical assistance

8. What mental health services are provided by your state?

Public mental health services for children in New Mexico are administered by the Human Services Department (HSD), Medical Assistance Division (MAD), Behavioral Health Services Division (BHSD) and include the following examples: physician services, hospital services, psychological and psychiatric services (out-patient counseling, in-patient treatment), residential treatment care, case management, and drug services. Contact the

Behavioral Health Services Division at the Harold Runnels Building, address: 1190 Saint Francis Drive, Room North 3300; Santa Fe, NM 87505-6110. DOH, BHSD Behavioral Health Resources link: www.nmcares.org/ or phone: 505.827.2601 or 800.362.2013 (Warm Line).

See also the Department of Health and Human Services (DHHS), Substance Abuse and Mental Health Services Administration's (SAMHSA), National Mental Health Information Center for New Mexico Resources, link: www.mentalhealth.samhsa.gov/publications/allpubs/stateresourceguides/NewMexico01.asp. Phone the Medicaid general information line: 505.827.3100 or the Client Services Bureau: 888.997.2583.

Note: Not all services may be available in all cases. Contact your local placement services social worker for information regarding process, eligibility, availability, and duration of services.

9. Does your state provide additional finances or services for medical or therapeutic needs not covered under your state medical plan to children receiving adoption assistance?

New Mexico offers what is known as a *Medical Subsidy*. Funding is available to cover a child's pre-existing special medical conditions that are not covered by the adoptive family's private medical insurance or by the state medical plan (Medicaid).

New Mexico also offers a program known as *Psychological, Occupational, Physical, and Speech Therapy Subsidies*. Funding is available only if the adoptive family's private medical insurance or the state medical plan (Medicaid) does not cover the needed therapy for a pre-existing condition. Adoptive families must secure prior written substantiation for the need of treatment from therapists. Parents must receive and submit reports documenting the child's progress and semi-annual re-evaluations of the child's condition are required. Payment for *Therapy Subsidies* services is dependent on the receipt of children's progress reports.

Note: Not all services may be available in all cases. Contact the local placement services social worker for information regarding process, eligibility, availability, and duration of services.

Adoption Assistance- Fair Hearings

10. What is your state's process for applying for a fair hearing? A fair hearing is a legal, administrative procedure that provides a forum to address disagreements with agency decisions.

Adoptive parents have the right to request a fair hearing whenever a decision by the Children, Youth and Family Department affects their child's adoption assistance benefits. Requests for a fair hearing must be in writing and can be a written letter from an adoptive parent. Parents can also phone 800.432.2075 for assistance in making a request for fair hearing to address disagreements with a Department decision. Upon receipt of a request to appeal a decision, the adoption assistance specialist sends the request for a hearing to the Office of General Counsel and a hearing officer is appointed. The hearing officer notifies the adoptive family of the date, time and place for the hearing. The hearing is scheduled as soon as possible but no later than ninety days from the date of the request. Witnesses may be called and an attorney can represent the parents. The hearing officer issues written findings and conclusions for the Cabinet Secretary's review no later than thirty days from the date of the hearing. The Secretary reviews the hearing officer's decision within fifteen days of receipt. The Secretary's review and signature represent the final action of CYFD. The hearing officer provides notice of the final action to all parties by certified mail as soon as practical, but no later than thirty days after the Secretary's decision. Send requests for fair hearing to the following address:

Attn: Adoption Subsidy Specialist

Children, Youth and Families Department, Protective Services
P.O. Drawer 5160
Santa Fe, New Mexico 87502

Adoption Assistance- Web/Internet Information

11. What is your state Web address for general adoption information?

New Mexico's general adoption link: www.cyfd.org/ (See the second carrot along the left hand margin: Click on Foster a Future, click on *Adopt a Child*, click on *Adoption Guidebook*)

12. What is your state Web address for adoption assistance information?

New Mexico's adoption assistance link: www.cyfd.org/ (See the second carrot along the left hand margin: Click on Foster a Future, click on Adopt a Child, click on *Adoption Guidebook*, see *Costs and Financial Assistance* and *Is Additional Financial Assistance Available?*)

13. What is your state Web address for state-specific medical assistance information for children?

New Mexico's state-specific medical assistance links: www.state.nm.us/hsd/mad/Index.html and www.state.nm.us/hsd/mad/GenInfo.htm