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Issued by: Vickie Stoneberger
and Sherry Moller

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Specialized Maintenance Adoption Subsidy (SMAS) time frames

This Practice Alert is to remind subsidy staff of the specific requirements for when a SMAS must be reviewed every two years and when it can be written to include up to the end of the month of the child's 18th birthday.

There are rare and specific situations where a child's behaviors and prognosis may warrant a SMAS/Level A approval through the end of the month of their 18th birthday. This decision must be based on detailed supporting documentation from their current psychiatrist, physician or mental health provider specifying how their diagnosis and prognosis is such that they are not likely to improve. Please submit this documentation with your subsidy request for any SMAS/Level A request for up to age 18.

The Above Base Maintenance policy in the CWM references both SMAS/Medical and SMAS/Youth with Elevated Needs-Level A payments.

SMAS/Medical placement determination is based on a review of documentation that describes the child's medical condition or medical diagnosis that is not likely to improve with care or services.

SMAS/Youth with Elevated Needs-Level A placement determination is based on a review of the child's behavior that will likely improve with care and services.

The policy states "Above Base Maintenance may be approved for up to two years at a time or up to the child's 18th birthday, if it is determined that the child's condition will not improve and/or that the adoptive/guardianship family will not be in agreement to lowering the maintenance amount as the maintenance rate may not be reduced without the consent of the adoptive parent(s)/guardian(s)." This is referring to how long both SMAS/Medical and SMAS/Level A may be approved (CWM Section 4, Chapter 9, Subsection 6 5.1 - Above Base Maintenance)

The next paragraph distinguishes which one may be approved up to age 18 by stating: *"In the case of medical subsidy where the medical condition of the child is permanent as indicated by documentation from medical professionals, medical subsidy should be approved to age 18 as the condition is not expected to improve."*

Some medical conditions may not improve and can be lifelong, whereas behaviors tend to decrease over time and should be reviewed to evaluate the need for the continued above level rate.

Although we can't lower the SMAS rate without the adoptive or guardians being in agreement, we have a responsibility to review the SMAS/Level A every two years to ensure services are needed and document how the additional funding is being used to support the child's needs. This doesn't require a Level A staffing, but the review should include this documented discussion and/or documentation from the child's provider as appropriate. This review also provides an opportunity for the subsidy worker to provide referrals and information on additional resources or support for the child and the family to meet the specialized needs of the child.

This policy is also located in Chapter 38- Adoption and Guardianship Subsidy Regulations. Again, it specifically mentions the "condition" being such that they are not expected to improve and that *"Subsidy agreements or amendments to subsidy agreements which include maintenance payments at the Medical or Youth with Elevated Needs Level A shall be written to be reviewed every two (2) years or to age eighteen (18) due to their condition being such that they are not expected to improve."*