



**ASSOCIATION OF ADMINISTRATORS OF THE INTERSTATE COMPACT  
ON ADOPTION AND MEDICAL ASSISTANCE, INC.**

## **The Interstate Compact on Adoption and Medical Assistance**

The Interstate Compact on Adoption and Medical Assistance (ICAMA) is an integral part of the national policy to address the need for safety, permanency, and well-being for children. The 2001 AFCARS Report indicated that 88% of children who were adopted were children with special needs. The most recent study of the Interstate Movement of Children estimates that by 2010 there will be approximately 600,000 children in receiving Title IV-E adoption assistance. Membership in ICAMA ensures that these children will receive needed benefits and services, wherever they live.

### ***Public Law 96-272***

Recognizing that the extraordinary costs and demands of raising special-needs children pose barriers to many considering adoption, states developed adoption subsidy programs. Following the states' lead, Congress passed the Adoption Assistance and Child Welfare Act in 1980 (P.L. 96-272). Among other things, P.L. 96-272 established a federally aided adoption assistance program under Title IV-E of the Social Security Act. Through this program, the federal government contributes to the states' cost of providing adoption subsidies and Medicaid for children who meet the program's eligibility criteria.

As part of the effort to encourage the adoption of children with special needs, P.L. 96-272 also directed states to protect the interstate interests of adopted children. Frequently this mandate - which recognizes that we live in a mobile society - is overlooked or discounted. It is, however, essential to ensuring that adoptive families receive the services and benefits that they require from the assistance program and which are essential to the health and well being of their children. Adoptive parents may move from one state to another or even move several times during the continuance of the adoption assistance arrangement. In addition, many special needs children who are free for adoption are being placed with families across state lines. ICAMA was established to ensure the delivery of medical and other services to children and their adoptive families on an interstate basis.

### ***ICAMA***

While states are free to use some other means to protect the interstate interests of adopted children with special needs, ICAMA is the only established means for fulfilling this obligation. ICAMA creates a framework for the formalized interstate cooperation envisioned under P.L. 96-272. The Compact, which has the force of law within and among the party states, provides for uniformity and consistency of policy and procedures when a family state adopts a child with special needs from another state, or the adoptive family moves to another state.

Operation of the Compact is the responsibility of the designated Compact administrator in each state. This person coordinates with in-state and out-of-state officials to facilitate the provision of benefits and services for special needs adopted children, processes ICAMA forms, train and educate interstate staff and parents, collect and compile interstate adoption data, and advocate for children special needs and their adoptive families. The Compact also mandates the use of ICAMA forms and administrative procedures. Although the designation of a contact person with responsibility for interstate adoption assistance activities and the establishment of an administrative structure is a simple concept, the value cannot be overstated because it prevents needless delays or denials of essential services and benefits.

Continuing adoption assistance payments is simple in interstate situations. Checks can be mailed to any address. Ensuring the delivery of other benefits and services across state lines, for example, medical

assistance is another matter. While it is true that the Consolidated Omnibus Reconciliation Act of 1985 (COBRA) mandated that residence states confer Medicaid eligibility to children who have Title IV-E adoption assistance agreements with other states, it did not mandate a mechanism by which this would be facilitated. Merely saying that it must be done does not ensure that it happens in reality.

### ***ICAMA and Medicaid***

One of the reasons the Compact is essential is that every state's Medicaid program differs; the forms, information required, benefits, and coverage varies substantially. Without the Compact, these systemic differences create barriers to children and families receiving medical benefits in interstate situations. These barriers may include: inadequate or incomplete documentation needed to establish eligibility, changes in eligibility are not communicated, and problems go unsolved because no one is ultimately responsible for ensuring that the benefits are received. The Compact prevents these problems because there are standard forms and procedures that meet federal and state requirements with maximum administrative simplicity. Further, regular and reliable channels for information exchange are also features of the Compact.

### ***Post-Adoption Services***

Although medical assistance is the most obvious interstate interest of families who adopt special-needs children, the importance of post-adoption services cannot be overlooked. Adoption specialists agree that the availability of post-legal adoption services is directly related to the success of an adoption and the long-term health and stability of adoptive families. Geographic boundaries do not alter the need for these services. While the Compact does not mandate the delivery of these services by the residence state, it does foster a coordinated response to ensure that the child and family receive what they need. Compact administrators help families identify providers of these services if they are not provided by the public agency. In fact, the Compact declares that their personnel will assist the agencies of other Compact states in accomplishing interstate delivery of all types of services. This is not a matter of professional courtesy, but lawful obligation.

### ***The Compact and Supplementary Agreements***

The Compact also provides for the establishment of supplementary agreements that may be needed for efficient service delivery. To date, one supplementary agreement has been established: The Interstate Fair Hearing Rule. The rule gives adoptive families living outside the adoption assistance state an alternative to personal appearances in order to contest some act or failure to act by that state. The rule eliminates the need to travel for a face-to-face hearing by allowing the grievance to be "heard" via telephone and/or through written submissions. This is a great benefit to adoptive parents since they often forego claims when they cannot afford the time away from their children or the expense of traveling to the adoption assistance state.

### ***Conclusion***

Adoption is one of the cornerstones of permanency planning for children in foster care who cannot be returned to their biological families. Families, not bureaucracies, are best at parenting children. Yet, finding adoptive parents for special needs children is a difficult task. Adoptive parents need assurances that they will receive the benefits and services they need to raise these children, wherever they live. The compact ensures that geographic boundaries do not become barriers to parents trying to meet the ordinary and the special needs of their adopted children by providing substantive guarantees and workable procedures for interstate cooperation.