

Testimony
Senate Bill 2088 - Department of Human Services
House Human Services Committee
Representative Robin Weisz, Chairman

March 3, 2021

Chairman Weisz and members of the Human Services Committee, I am Julie Hoffman, Administrator of Adoption Services for the Department of Human Services (Department). I appear today to provide testimony on Senate Bill 2088.

Senate Bill 2088 was introduced on behalf of the Department to bring language in the adoption assistance statute into compliance with federal law and policy and to require automated payments of adoption subsidy support to adoptive parents.

Section 1. This section updates and brings section 50-09-02.2 of the North Dakota Century Code into alignment with federal law regarding the adoption assistance program and updates language regarding the human service zone. These changes do not change current practice in the program. Specifically:

- References to the human service zone have been removed since pursuant to 2019 Senate Bill No. 2124, positions for foster care eligibility and subsidized adoption negotiations are being assumed by the Department and human service zones will no longer be involved in these efforts.
- Codifies in statute that adoption assistance continues until:
 - the adopted youth is emancipated or dies,
 - the adopted youth reaches the age of 18, or 21 if the youth continues in an educational program as authorized by section 475 of the Social Security Act,
 - the adoption is terminated,
 - a determination of ineligibility is made by the agency,
 - the agency determines that the adoptive parents are no longer legally responsible for the support of the child who is yet a minor, or

- the agency determines the adoptive parents are no longer providing support to the child.
- Provides, consistent with current practice, that children in public agency custody, including North Dakota tribal nations, can be determined to be a child with special needs for the purposes of adoption assistance.
- Aligns with federal regulation and current practice indicating that the agency must seek concurrence from the adoptive parent for any changes to the subsidy amount unless the assistance is discontinued as indicated under subsection 1 of section 50-09-02.2.

Section 2. The proposed new subdivision to section 50-28-02 in section 2 will allow the Department to provide payment to adoptive parents using an automated clearing house to provide for electronic fund transfers. Today, roughly 1,000 adoptive parents receive subsidy payments on behalf of over 1,600 youth per month. Approximately 35% of these parents receive a paper check from the Department. The processing of a paper check is a manual process which takes additional staff time to prepare and mail out, can be lost in mailing, and requires additional time on the part of the parent to go to the bank and cash the check timely. Automated disbursement will streamline the payment process and guarantee safe transmission of the subsidy support funds.

As a point of reference, the Department is proposing a comparable transition to electronic payment processing for Medicaid providers in Senate Bill No. 2085 and for foster care payments in House Bill No. 1091. This committee made changes to House Bill No. 1091 related to electronic payments. The Department would agree to these same changes to this bill, to provide consistency in how we implement this process with regard to foster care and adoption subsidy payments.

This concludes my testimony, and I am happy to answer any questions you may have.