

North Carolina Infant-Toddler Program Procedural Guidance

Reference: Procedural Safeguards Policy

Adoptions

Introduction

A child served by the Infant-Toddler program will sometimes be adopted while enrolled in the program. This procedural guidance document describes the activities and responsibilities of CDSAs when a child served by the program is adopted.

Adoptions Procedural Guidance

When an adoption occurs, in order to protect the birth identity of a child and the identity of the birth family, all records on file with the court, a service provider, or the state must be retained permanently and sealed when the adoption becomes final. It is the CDSA's responsibility to ensure that any report or other information released after an adoption becomes final is edited to exclude the name, address, or other information that could reasonably be expected to lead directly to the identity of an adoptee at birth or an adoptee's parent at birth or other members of the adoptee's biological family.

The following procedure must be followed by all Infant-Toddler Program service providers when an adoption occurs:

1. It is the responsibility of the Early Intervention Service Coordinator (EISC) to notify the Medical Records staff at their CDSA about the pending adoption of a child as soon as the EISC learns of it. It is the responsibility of the CDSA to notify all relevant service providers of a child's adoption, remind them of record requirements related to adoptions, and provide assistance to the service providers in meeting the requirements in this procedural document, as needed.*-In instances where the family is having difficulty providing or has refused to provide a copy of the adoption decree, the EISC can attest in a progress note that they have seen the adoption decree. The progress note should include the child's new name, name of their new legal guardian(s), the date the adoption was finalized, and all efforts to obtain a copy of the decree. The EISC should continue to make efforts to obtain a copy of the adoption decree from the family.
2. Billing should be held until the adoption decree is obtained and/or seen by the EISC. All billing for services prior to the date the adoption was finalized should be billed in the child's pre-adoptive name.

3. A copy of the “Decree of Adoption” signed by the Judge must be obtained by the EI Service Coordinator and uploaded into Confidential folder in BEES so that there is legal documentation that the adoption has been finalized. The date and decree # must be on the decree.

4. The date the adoption is finalized is a key date within the adoption process. Once a copy of the adoption decree is obtained, all documentation prior to this date must be filed in the original chart. All documentation on and after this date is to be filed in a new chart with the child’s new name.
 - The final progress note in the existing record (e.g., the pre-adoptive record) must state that the adoption has been finalized, a copy of the adoption decree has been placed in the record, and the record is being closed.
 - The closed record is to be sealed immediately.

5. For paper records, if applicable: The child’s name may not appear on the outside of the file. The outside of the file is to be marked as sealed pre-adoption records so that CDSA and state archives staff are informed that the file cannot be opened without court order and that rules pertaining to retention of pre-adoption records apply to the file. All information that is in the existing record at the time of adoption stays in the closed record and remains in the child’s pre-adoptive name. The original chart should not be sealed until a copy of the adoption decree has been received.

6. In BEES: Complete all documentation and billing under pre-adoption name.
 - On Demographic screen, Change name on pre-adoption BEES Child ID to First Name-*Sealed* and Last Name-*Adoption Records*.
 - Child’s pre-adoption names should be entered into Nickname field
 - End Date all services on the Planned Services screen.
 - Exit Child using Adoption reason in dropdown on Transition/Exit screen

7. An entirely new and separate Infant-Toddler Program record must be opened in the child’s adoptive name.
 - a. Re-Register the child in BEES using the new adoptive name.
 - If child has Medicaid –
 - Create a new CNDS ID number and Child ID number in BEES.
 - Enter Part C as the payor in Planned Services until the CDSA has received notification that either the Medicaid number changed or the original Medicaid number remains with the name of the child changing.
 - Once the CDSA is aware of how Medicaid has handled the adoption, the CDSA is to reach out to Angel Payne or Alison Durant to talk through how to update the payor and financial support screens. It is possible that billing staff will have to manually bill in NC Tracks.
 - If child does not have Medicaid - do this when billing/documentation has been completed for old child ID. This should be completed as soon as possible after receiving the adoption decree.
 - b. If child was enrolled when adoption occurs, complete the following steps:

- Use Original Referral date and referral source
 - Use Original evaluation and eligibility information and dates
 - Use Original COS dates and information
 - If using the original referral date information, enter the child’s initial IFSP information with minimal information (only required fields). Enter new IFSP as Annual to restart the clock.
- c. If child is in open referral when adoption occurs, complete the following steps:
- Use original referral date and referral source
 - Use original evaluation and eligibility information and dates if completed prior to adoption
 - Use original COS information and dates if completed prior to adoption
- d. Once the new record is created, the pre-adoption record is to be sealed and archived.
- It is not necessary to state in the new record that the child has been adopted; however, this may be included as appropriate (e.g., a report may state that medical history is unknown because the child was adopted.)
 - All documentation from the point in time at which the service provider has legal proof that the adoption has been finalized must be in the child’s new name only.
 - The service provider must establish some internal mechanism for cross-referencing the two records that exist on a child so that information from the old record may be retrieved at a later date, if necessary. This cross-referencing must be placed on the log of assigned record numbers that is kept by the service provider or in some other internal listing of clients, but never in the child’s new record. If the service provider has any questions about how to complete these tasks, they should contact the child’s CDSA.