

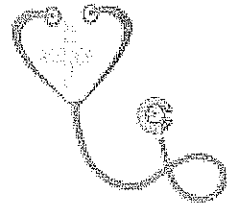
## GRANDPARENTS--ADOPTIONS CAN BE A WONDERFUL CHANGE IN YOUR FAMILY

### ADOPTIONS CAN ALSO AFFECT YOUR ELIGIBILITY FOR MANY PROGRAMS THAT HELP YOU AND YOUR GRANDCHILDREN

Georgia Legal Services Program Kinship Care Project helps grandparents and other relatives<sup>1</sup> to adopt, file for custody, or file for guardianship of grandchildren. Adopting these children can mean major changes. Adoption can change eligibility for healthcare coverage or other benefit programs for the grandparent or grandchildren. Before deciding to adopt or change the relationship, consider what will happen to your healthcare and other benefits.

#### **Healthcare**

**Medicaid** - Many grandparents caring for their grandchildren get Medicaid for the grandchildren. They get Medicaid because the children have no income and the grandparents' income may not count to the child. However, if the grandparents adopt, they become the parents. Then their income counts as income to the child. After an adoption many of these children will no longer qualify for Medicaid.



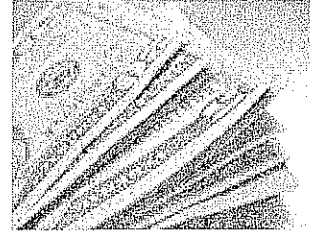
Georgia has more than 32 different Medicaid programs. Each program has different rules. The policy rules and income guidelines for many of these program are at: <http://dch.georgia.gov>. You can also ask at the county Department of Family and Children Services (DFCS) or GLSP to look to see if you or your grandchildren will still get Medicaid after an adoption.

**Peachcare** – Peachcare is a healthcare program for families with children with higher incomes. The family can have income up to 235% of the federal poverty limit and the child/ren can still qualify for Peachcare. Peachcare has most of the

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<sup>1</sup>Although most of our Project's clients are Grandparents, the Project assists all relative caregivers and relative children.

same medical coverage as Medicaid, but the State charges a premium for Peachcare. Children of parents or relatives who work for the state may not qualify for Peachcare. Also, Peachcare may be less secure. See, <http://www.peachcare.org/> 1-877-427-3224.



**Medicare** - Most often Medicare benefits will not change because of an adoption. Check with your Social Security office, Georgia Cares at 1-800-669-8387 or at [www.Medicare.gov](http://www.Medicare.gov) for more information.

**Child Support and Medical Support** - Parents must provide financial and medical support for their children. If the grandparents adopt, the birth parents won't have to support the child any longer. The grandparents who adopt will be legally responsible.

**Private Insurance** - The children may be able to qualify for healthcare coverage under the grandparents' health insurance after an adoption. Often health insurance programs charge high premiums to add children. Private insurance can include high deductibles, expensive co-pays, and reduced coverages. Private insurance can also exclude pre-existing conditions or just not cover some health care needs. Be sure to ask if an adopted child can be added to a health care policy. Also ask what coverages and costs will be included.

Secure health care coverage is important to a child's health and to the family's financial picture. Doctor visits, prescriptions, and hospital care can be very expensive. Children with insurance are more likely to get the checkups and preventive health services they need to stay well. When children get very sick or are injured, they are more likely to get the help they need if they are insured.

## Income Programs

**Supplemental Security Income** - Disabled grandparents or children can get SSI. If the grandparents get SSI and adopt, then the child's income may change the grandparents' amount of SSI or eligibility for SSI. The grandparents' income can also change the child's SSI amount or eligibility.

**SSI-Related Medicaid** - Some children or grandparents get Medicaid because they get SSI. New family relationships or income can change SSI eligibility, reduce amounts, or cut off Medicaid.

**Social Security** - Adoption can change the family's social security benefits. Children may get social security benefits from their birth parents' accounts. They can also get benefits from the adopting grandparent's account. Social Security benefits can increase after an adoption. More income can be helpful. But, it can also cause the family to lose Medicaid and SSI which are based on income. Ask at the Social Security office for information about what will happen after an adoption. Request that they provide an analysis in writing of what the family benefits will be after an adoption. Check before the adoption is filed. Usually adoptions are final.

**TANF** - Grandchildren can get TANF when they are in the custody of grandparents if they meet income limits and other qualifications. After a child is adopted, the grandparents' income will be counted as income to the child. Many times this means that the child will no longer get TANF. Some relatives and unrelated caretakers can get TANF if they obtain a temporary guardianship without adopting. The Grandparents Raising Grandchildren \$50.00 TANF will stop after an adoption because the grandparent becomes the parent.

**Adoption Assistance** -( Monthly recurring benefits) - Adoption Assistance is monthly income for relatives who adopt special needs children who qualify. Special needs children may be disabled, in sibling groups, or may be older. Currently, the state requires that the children have been in foster care before awarding monthly adoption assistance benefits. Adoption Assistance applications must be filed in writing at the local DFCS office BEFORE an adoption is final.

<p>Most governmental programs require families to report any changes in family relationships or changes in income. These agencies can penalize families who fail to report changes.</p>
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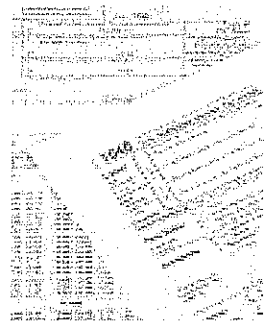
**Adoption Assistance** - (Attorneys fees/nonrecurring benefits) Adoption assistance can pay up to \$2,000 for some attorney's fees and for legal costs associated with adoptions. The state does not require that the children have been in foster care for non-recurring adoption assistance benefits. Applications must be filed in writing at the local DFCS office BEFORE the adoption is final.

**Veterans Benefits** - Veterans' income and healthcare coverage may change after an adoption. Check with your local VA office for details.

### Other Programs and Legal Issues

**Food Stamps** - The amount of food stamps that the family gets depends on household size and income. Ask the county DFCS office to do a budget based on your expected income after an adoption.

**Public/Subsidized Housing** - Family size, relationship changes, and income changes can change the amount of rent due after an adoption. Check with the public housing office or the agency that runs the subsidized housing program. Ask if there will be any changes in rent after an adoption.



**Inheritance** - An adoption will cut off the right of inheritance for the child from the birth parents. The child will be able to inherit from the new adoptive parents.

**Taxes** - Grandparents can face tax changes after an adoption. They may qualify for adoption credits or child care credits. Contact a tax expert for advice. Working parents with dependents may qualify for the Earned Income Tax Credit.

Before a benefit is ended or denied, the agency must give a notice saying why. You have a right to appeal. Be sure to read all notices carefully and quickly file any appeals as soon as possible within the time deadlines. Shorter deadlines apply to continue getting benefits.

Contact Georgia Legal Services Program to see if you qualify for legal representation in an appeal or for general information. This information is intended as general public information and not intended to give specific legal advice. You should contact a lawyer for advice in your case.

[www.glsp.org](http://www.glsp.org) /1-800-498-9469

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