

# AAP Redetermination

(Revised 12/16/22)

[Forms](#)

[Policy](#)

[Redetermination Initiated by the Parent](#)

[Benefit Increase](#)

[Changes due to AAP 3](#)

[AD 4320](#)

[Timeframe for Completion of AD 4320](#)

[AAP 2](#)

[Alignment with SET](#)

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## Forms

The following forms are referenced in this file:

- [AAP 2](#) Adoption Assistance Agreement and Payment Instructions
- [AAP 3](#) Reassessment Information Adoption Assistance Program
- [AD 4320](#) Adoption Assistance Program Agreement
- [AAP 6](#) Adoption Assistance Program Negotiated Benefit Amount and Approval

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## Policy

The AAP clerk is responsible for sending an AAP 3 form to the adoptive parent every two years. The adoptive parent(s) may request a redetermination on the AAP3 at any time if there is a change in the child's or family's circumstances. When a redetermination is requested, the AAP SW will then follow through with completing the redetermination.

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## Redetermination Initiated by Parent

There may be a change of circumstances for which a parent may request a redetermination of AAP benefits. A redetermination may be requested for the following reasons:

- An AAP rate increase, including a Level of Care Rate and/or Special Care Rate
  - Age Related Increase (for eligible children when initial AAP Agreement was signed prior to January 1, 2010)
  - Regional Center involvement including a Dual Agency rate or Supplement to Dual Agency rate
  - Prior to a child's 18<sup>th</sup> birthday, a parent requests a continuation of benefits due to the child having a physical or mental disability that warrants the continuance of assistance beyond the age of 18 or the child meeting AB12 eligibility criteria+
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**Benefit Increase**

When a parent requests an increase in the AAP benefit, the AAP SW will base the redetermination assessment on the child's needs and required level of care and supervision on:

- Information provided by the adoptive parent(s)
- Information about the child based on the application for Special Care Increment
- Circumstances of the family

The benefit increase is based on the maximum AAP benefit amount allowed. (Please review the AAP Rates policy for rates.)

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**Changes due to AAP 3**

The AAP clerk mails an AAP 3 to the parent every two years as part of the biennial reassessment (see AAP Services Reassessment). The adoptive parent(s) may inform the AAP SW of a change in the child's or family's circumstance by returning the AAP 3. If the AAP 3 indicates changes, the AAP SW will contact the parent(s) to confirm/clarify any changes indicated. The AAP SW will take the following steps:

If...	then...
box 1 is selected on the AAP 3 indicating they no longer wish to receive an AAP benefit for the child,	the AAP SW will contact the parent(s) to verify the request and provide them with information of their options- to terminate, defer payment or make it a Medi-Cal only case. <ul style="list-style-type: none"><li>• If they elect to defer or receive only Medi-Cal benefits, inform them a deferred agreement (AD 4320) and AAP 6 will be sent to them for signature.</li><li>• If the parent elects to terminate, document parent's request, reason for request, and send an AAP 2 to the HSS.</li></ul>
box 2 is selected on the AAP 3 indicating the adoptive parent(s) request the AAP benefit continues, and there are no changes,	no AAP 2 is required.

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**Changes due to AAP 3 (cont.)**

If...	then...
<p>box 3 is selected on the AAP 3, requesting an increase in the amount of the AAP benefit,</p>	<p>the AAP SW will send Special Care Rate forms and request that the parent(s) provide appropriate written documentation of the child’s needs justifying the increase.</p> <ul style="list-style-type: none"> <li>• Once the supporting documentation has been provided by the parent(s), the AAP SW and AAP Case Consultation Team will make an assessment if an increase is appropriate.</li> <li>• If an increase is approved the AAP SW will send an AD 4320 and AAP 6 with the new negotiated benefit amount to the parent(s) for signature. The start date for an approved Special Care Rate is on the first of the month in which AAP receives all supporting documentation from the parent.</li> </ul>
<p>box 4 is selected on the AAP 3, requesting a decrease in the amount of the AAP benefit,</p>	<p>the AAP SW and the adoptive parent(s) will complete an amended AD 4320 and AAP 6 to reflect the change in benefit amount and send to parent for review/signature. The AAP SW will document the requested changes on the 02-115.</p>
<p>there are changes to the demographic section,</p>	<ul style="list-style-type: none"> <li>• the AAP SW must complete the relevant sections on an AAP 2 indicating the changes.</li> <li>• if applicable, the AAP SW will complete relevant ICAMA documentation</li> </ul>

**AD 4320**

The Adoption Assistance Agreement (AD4320) describes the Adoption Assistance benefit that the parent receives for the adopted child. It is signed at the initiation of AAP benefits, prior to the adoption finalizing; and remains in effect until terminated in accordance with its terms or a new amended agreement is signed. AAP cases in CWS/CMS should be updated with any renegotiation and any amended AD 4320 that has been signed to reflect the change in rate.

If, via the process of redetermination, the AAP SW determines that a change in the AAP benefit is appropriate, the adoptive parent(s) must provide concurrence by signing an AD 4320 prior to the payment amount changing. An exception to this is that the Dual Agency (age 0-3 rate) or children with provisional eligibility can be decreased to the Basic Care Rate even when a parent does not sign and return an amended AD4320 and AAP6.

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**AD 4320 (cont.)**

The AAP SW will provide the parent(s) with an amended AD 4320 (and AAP 6 if applicable) to reflect the change in the amount of the AAP benefit. The AD 4320 will include the new rate as well as the agreed upon date the new rate will be in effect. The AAP SW will emphasize to the parent(s) that they must return the signed AD 4320 as soon as possible, and that payment of the new rate cannot begin until the AD 4320 (and AAP 6 if applicable) is received by the AAP SW.

**NOTE:** Concurrence is not required if the payment amount is changed to prevent the payment from exceeding the maximum foster care maintenance payment that would have been paid had the child remained in foster care.

**NOTE:** If there are two parents, both parents must sign the AD 4320 and AAP 6, unless a rare exception occurs (i.e., the 2<sup>nd</sup> parent's whereabouts are unknown).

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**Timeframe for Completion of AD 4320**

There is no state regulation specifying a timeframe that the AD 4320 must be returned by the parent(s) after the request for benefit increase has been approved. However, all efforts must be made to ensure that AD 4320s are returned to the Agency in a timely manner to minimize retroactive payments.

The AAP SW will track when an AD 4320 is sent to the parent, and when the signed AD 4320 is received by the agency. The SW may follow up with the adoptive parent within 30-40 days to encourage the parent to return the AD 4320.

If the parent is unresponsive to contact from the AAP SW within 2 months, a new AD 4320 will be sent out once the parent resumes contact.

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**AAP 2**

The AAP SW must complete and send a Payment Instructions Adoption Assistance Program (AAP 2) form to the AAP HSS within five working days of completing the redetermination process and obtaining the signed AD 4320 from the parent(s). The AAP 2 will indicate the start date of the new rate as agreed to on the signed AD 4320.

For AAP 2s that are not submitted timely, an explanation will be provided in the comments section on the AAP 2 regarding any delay between the date of the redetermination approval, the date the signed AD 4320 was returned and the date the AAP 2 is submitted.

If a parent requests a redetermination of the AAP benefit, and the SW assesses that a rate increase is warranted; however, the parent does not return the signed AD 4320 within 2 months, the SW will Contact the family to remind them that they must sign the AD 4320 in order for the new rate to begin.

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**Alignment with SET**

This policy supports SET [Value 2](#) and the agency practices to have ongoing assessments and be responsive and supportive of the unique needs of resource families.

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