

## APPEAL RIGHTS

In accordance with Title VI of the Civil Rights Act of 1964, the Multiethnic Placement Act of 1994 as amended by Section 1808 of the Small Business Job Protection Act of 1996, 42 U.S.C. 1996b, the South Carolina Department of Social Services is prohibited from discriminating on the basis of race, color and/or national origin when making foster care or adoption placement decisions.

If you feel that a decision has been made or that an action has been taken in violation of these statutes, you may notify SCDSS about the particulars of your complaint in writing. You may file your complaint using our form, or using any other written format (letter, email, etc.). We encourage you to file your complaint as soon as possible so that we may begin to review your complaint quickly.

The SCDSS Civil Rights Discrimination Form is available in SCDSS offices and online at this address:  
[www.state.sc.us/dss/forms/files/2601.pdf](http://www.state.sc.us/dss/forms/files/2601.pdf)

The form **or letter** can be mailed to:

Director, Office of Civil Rights  
South Carolina Department of Social Services  
P.O. Box 1520  
Columbia, SC 29202

Voice: 1-800-311-7220/1-803-898-8080  
TTY: 1-800-311-7219

You may also file a complaint with HHS, and you may either send the same Civil Rights Discrimination Form, or use any other written format (letter, email, etc.) to either the main office at this address:

Office for Civil Rights U.S. Department of Health and Human Services  
200 Independence Avenue, SW  
Washington D.C. 20201

Voice: 1-800-368-1019  
TDD: 1-800-537-7697  
Email: [OCRmail@hhs.gov](mailto:OCRmail@hhs.gov)

or to this regional address:

United States Department of Health and Human Services  
Office for Civil Rights, Region IV  
61 Forsyth Street, S.W.  
Atlanta Federal Center, Suite 3B70  
Atlanta, GA 30303-8909

Voice: 404-562-7886  
TDD: 404-331-2867

If you disagree with a decision made by the Department of Social Services on your application for reimbursement of nonrecurring costs, you have the right to request a fair hearing. To request a fair hearing, call 1-800-922-2504 (in state) or call 1-803-898-7561 (out of state) or write Office of Administrative Hearings, 3150 Harden Street, Columbia, South Carolina 29203.

## FOR FURTHER INFORMATION

For more detailed information on the program for payment or reimbursement of nonrecurring adoption expenses, please contact the Division of Adoption Services, South Carolina Department of Social Services, telephone (803) 898-7561 or toll-free in South Carolina at 1-800-922-2504.

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# Important Information About Reimbursement for Nonrecurring Costs for Parents Who Are Adopting A Child with Special Needs

South Carolina  
Department of Social Services

## REIMBURSEMENT FOR EXPENSES RELATED TO THE ADOPTION OF A CHILD WITH SPECIAL NEEDS

The South Carolina Department of Social Services can reimburse parents up to \$1,500 for certain “nonrecurring expenses” which they incur in adopting a special needs child.

Nonrecurring expenses of adoption are costs directly related to the legal adoption of a special needs child which the adoptive parents, rather than the adoption agency, are normally required to pay. Examples of nonrecurring adoption expenses are:

1. The adoption study, including health and psychological examination.
2. Legal fees and court costs.
3. Supervision of the placement prior to adoption.
4. Reasonable and necessary adoption fees.
5. Transportation and the reasonable costs of lodging and food for the child and/or the adoptive parents when necessary to complete the placement or the adoption process.
6. Other costs approved by the South Carolina Department of Social Services.

## ELIGIBILITY

All parents, including those who adopted a child through a private agency or acquired a child through an independent adoption, are eligible for this program if their adopted child meets the definition of a child with special needs as outlined in the **SC Code of Regulations, 114-4380, Supplemental Benefits for Adoption and Medical Assistance.**

The definition is:

1. The state has determined that the child cannot or should not return to the home of the biological parents;
2. Reasonable but unsuccessful efforts have been made to place this child without subsidy except where it would be against the best interest of the child because of such factors as significant emotional ties with prospective adoptive parents while in their care as a foster child; and
3. The state has determined that the child cannot be placed without an adoption subsidy because of one or more of the following factors or conditions:
  - A. A white child 10 years old or older;
  - B. A black or mixed race child 6 years old or older;
  - C. A child having or at risk of having a physical, mental or emotional handicap;
  - D. A member of a white sibling group of three children being placed together, one of whom is at least 6 years old, or a member of a sibling group of four or more white children of any age;
  - E. A member of a black or mixed race sibling group of two children being placed together, one of whom is at least 6 years of age, or a sibling group of three or more black or mixed race children of any age;
  - F. A member of a sibling group being placed together, one of whom is a special needs child.

**An Adoption Agreement between DSS and the Adopting Parents must be signed and in place prior to finalization of the adoption. There is no reimbursement post finalization.**

The child does not have to be eligible for the IV-E monthly subsidy program. Meeting the special needs requirement is sufficient to qualify for reimbursement of nonrecurring adoption expenses. Adoption Assistance recipients, as well as adoptive parents who are not eligible for any form of adoption subsidy, are both potentially eligible for the program.

## HOW TO APPLY

All adoptive parents wishing to receive reimbursement for nonrecurring costs must apply to the South Carolina Department of Social Services. To determine if you are eligible, contact your adoption specialist or call toll-free in SC, 1-800-922-2504. If you qualify, you will be asked to complete an application and sign an Adoption Subsidy Agreement. An adoption subsidy agreement must be signed and in place prior to finalization of the adoption.