

## Frequently Asked Questions

What is renegotiation?

“Renegotiation” means negotiating a new adoption assistance (AA) agreement based on current needs. If your child’s current subsidy does not account for their current needs and/or your family’s current circumstances, including new needs and circumstances since the time of adoption, this could result in an increased monthly assistance amount.

What is redetermination?

“Redetermination” means negotiating a new, retroactive, AA agreement. If your child’s original agreement did not account for all your child’s needs or all your family’s circumstances, this could result in an increased monthly assistance amount, including a retroactive amount.

How do I know if all my child’s needs or all my family’s circumstances were properly considered in my child’s original adoption assistance agreement?

If the original AA agreement did not consider factors such as child care, educational expenses, medical or psychological care not covered by Medicaid, mileage to and from medical and psychological care, and developmentally and/or therapeutically appropriate activities, it may not have adequately or fully considered your child’s needs.

If the original AA agreement did not consider lost wages or other financial barriers to adoption your family experienced, it may not have adequately or fully considered your child’s needs.

These issues may have been apparent to you when negotiating your original AA agreement, such as where a family made a specific request for assistance that was denied. However, it may not have been apparent to you. Reviewing your child’s file is likely to produce such information.

How do I know if my child has new needs or my family has a changed circumstance?

As your child grows up, his/her needs change. If your child has different or new needs since adoption, that could make an increased monthly subsidy appropriate for your child. Additionally, if your family circumstances have changed, such as a job loss, illness, change in family size, or any other change that has impacted the family’s ability to provide the child, your family has experienced a change in family circumstance that could make an increased monthly subsidy appropriate for your child. Once you return the enclosed authorization, class counsel can contact you for further information about your family’s needs and circumstances.

How happens after I send in the authorization form?

Warren County Children Services will provide your child’s file to counsel, who will review and investigate the file and, supplemented with information provided by you, will

create a renegotiation and/or redetermination package. It will include a recommendation of whether we believe you could be receiving an increased AA amount under the settlement and will also include all the evidence from your child's file and from what information you provide supporting an increased amount. This can then be used by you to guide renegotiation and redetermination of your child's adoption assistance agreement.

Providing an authorization allows class counsel to receive your child's file, which will allow them to perform this investigation. It also allows class counsel to be copied on all communications between Warren County Children Services and the family, to ensure that the parties are following the terms of the settlement agreement. However, class counsel will not personally represent you in renegotiation, unless retained for that specific purpose. You can also retain the legal representation of your choice for that purpose.

What will my child's file be used for? Will it be kept confidential?

Your child's file, and any information you provide to counsel, will be kept strictly confidential and only used for purposes of the investigation and creating the renegotiation package. Your child's personal information will not be filed in court or distributed to anyone outside of Warren County Children Services and class counsel.

What happens if I do not send in the authorization form?

Nothing. If you do not wish to participate, you are not required to, and your child's information will not be shared with counsel. However, if you choose not to submit the authorization form, counsel will not be able to aid your family in renegotiation. You always have the right to request renegotiation of your current monthly assistance amount going forward with Warren County Children Services. However, because you are a part of the class, the court approved process will be the best way to get a comprehensive review of any amount due from the past and any adjustments due going forward and will be the only way to retroactively adjust the amount your child received between adoption and the time of the settlement agreement.

How do I know that Warren County will comply with the settlement agreement?

If you return the authorization form, counsel will be copied on all correspondence between you and Warren County Children Services to ensure the county's compliance. Counsel will also be able to provide you with a renegotiation package guided by the terms of the settlement agreement. If Warren County does not comply, counsel can enforce the settlement agreement through court action.

You CANNOT be retaliated against for participating in the renegotiation process.

How do I know if I'm a class member?

Our class members should have received, or should be receiving very shortly, a notice in the mail from the Southern District of Ohio United States District Court. If you are unsure, call Caroline Hyatt at 513-246-1066.