

THE SOCIAL WELFARE ACT (EXCERPT)
Act 280 of 1939

400.115j Adoption assistance, medical subsidy, or redetermined adoption assistance; extension; continuation.

Sec. 115j.

(1) Except as provided in subsections (2) to (5) and section 115t, adoption assistance, a medical subsidy, or redetermined adoption assistance shall continue until 1 of the following occurs:

- (a) The adoptee becomes 18 years of age.
- (b) The adoptee is emancipated.
- (c) The adoptee dies.
- (d) The adoption is terminated.
- (e) A determination of ineligibility is made by the department.

(2) If sufficient funds are appropriated by the legislature in the department's annual budget, adoption assistance agreements, redetermined adoption assistance agreements, or medical subsidy agreements, may be extended through state funding for an adoptee under 21 years of age if all of the following criteria are met:

- (a) The adoptee has not completed high school or a GED program.
- (b) The adoptee is regularly attending high school or a GED program or a program for children with disabilities on a full-time basis and is progressing toward achieving a high school diploma, certificate of completion, or GED.
- (c) The adoptee is not eligible for supplemental security income.

(3) Adoption assistance agreements may be extended through title IV-E funding for an eligible adoptee up to 21 years of age if the department determines that the child has a mental or physical disability that warrants continuation of adoption assistance and the child was adopted before 16 years of age.

(4) If sufficient funds are appropriated by the legislature in the department's annual budget, redetermined adoption assistance agreements may be extended through state funding for an eligible adoptee up to 21 years of age if the department determines that the child has a mental or physical disability that warrants continuation of adoption assistance and the child was adopted before 16 years of age.

(5) Adoption assistance agreements or redetermined adoption assistance agreements may be extended for a child adopted on or after his or her sixteenth birthday if the department determines that the eligible adoptee meets the requirements set forth in the young adult voluntary foster care act, 2011 PA 225, MCL 400.641 to 400.671.

(6) Adoption assistance, redetermined adoption assistance, and a medical subsidy shall continue even if the adoptive parent or the adoptee leaves the state.

(7) Support subsidy or redetermined adoption assistance shall continue during a period in which the adoptee is removed for delinquency from his or her home as a temporary court ward based on proceedings under section 18 of chapter XIIA of the probate code of 1939, 1939 PA 288, MCL 712A.18.

(8) Upon the death of the adoptive parent, the department shall continue making support subsidy, redetermined adoption assistance payments, or continue medical subsidy eligibility, through state funding to the guardian of the adoptee if a guardian is appointed as provided in section 5202 or 5204 of the estates and protected individuals code, 1998 PA 386, MCL 700.5202 and 700.5204.

History: Add. 1994, Act 238, Eff. July 5, 1994 ;-- Am. 2000, Act 61, Eff. Apr. 1, 2000 ;-- Am. 2002, Act 648, Imd. Eff. Dec. 23, 2002 ;-- Am. 2009, Act 17, Imd. Eff. Apr. 9, 2009 ;-- Am. 2011, Act 230, Imd. Eff. Nov. 22, 2011 ;-- Am. 2014, Act 308, Imd. Eff. Oct. 10, 2014
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