

## LEGISLATIVE BILL 1070

Approved by the Governor March 2, 1990

Introduced by Health and Human Services Committee,  
Wesely, 26, Chairperson; Crosby, 29;  
Lynch, 13; Byars, 30; Schellpeper, 18

AN ACT relating to the adoption of children; to amend section 43-118, Reissue Revised Statutes of Nebraska, 1943; to provide for payments to adoptive parents of children with special needs; to provide for rules and regulations; and to repeal the original section.

Be it enacted by the people of the State of Nebraska,

Section 1. The Department of Social Services may make payments as needed on behalf of a ward of a child placement agency with special needs after the legal completion of the child's adoption as authorized by the federal adoption assistance program, 42 U.S.C. 673. Such payments to adoptive parents may include maintenance costs, medical and surgical expenses, and other costs incidental to the care of the child. Payments for maintenance and medical care shall terminate on or before the child's nineteenth birthday.

Sec. 2. The Department of Social Services may make a payment of up to two thousand dollars on behalf of a child with special needs after the legal completion of the child's adoption. The payment to the adoptive parents shall be a reimbursement for nonrecurring adoption expenses, including reasonable and necessary adoption fees, court costs, attorney's fees, and other expenses which are directly related to the legal adoption of the child, which are not incurred in violation of law, and which have not been reimbursed from any other source or funds.

Sec. 3. That section 43-118, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

43-118. All actions of the Department of Social Services under the ~~program~~ programs authorized by section 43-117 and sections 1 and 2 of this act shall be subject to the following criteria:

(1) The child so adopted shall have been a child for whom adoption would not have been possible without the financial aid provided for by ~~sections section~~ section 43-117 and 43-118 and sections 1 and 2 of this

act; and

(2) The Director of Social Services shall adopt and promulgate rules and regulations for the administration of the provisions of sections 43-117 and 43-118 and sections 1 and 2 of this act.

Sec. 4. That original section 43-118, Reissue Revised Statutes of Nebraska, 1943, is repealed.