

# Adoption Amendments

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House  
Judiciary  
Committee  
2026

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# High rates of adoption in Utah

- Utah's rate of adoptions is 11.1 adoptions per 10,000 households
- The national average is 4.9 adoptions per 10,000 households
- Multiple investigative reports have identified instances of unethical and exploitative behavior
- High payments to birth parents
- No ability to revoke consent within a limited window

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upon reaching 18 years old or otherwise becoming emancipated.

(6) A consent or relinquishment is effective when the consent or relinquishment is signed and may not be revoked.

(7) (a) A consent or relinquishment is effective when the consent or relinquishment is signed and may not be revoked.

# Adoption Costs FY24FY24

- Average living expenses  
\$16,384.83
- Highest living expenses  
\$33,472.34
- Average in gifts/property  
\$19,014.60
- Highest in gifts/property  
\$50,000

“Moms are telling us that before they left their home state, the reason that they really were compelled to come is because they were offered cash in a lump sum after the adoption, after they had signed consents.”

Kelsey Vander Vliet  
Ranyard, Utah  
Adoption Rights

The executive director at one Utah child-placing agency reported an annual salary of \$470,000

# Poor agency compliance

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- DHHS audited 9 agencies in October 2025 for reporting compliance between July 1, 2024 and the present.

Agency	Adoptions completed	Adoptions affidavits reported
Agency A	47	40
Agency B	1	1
Agency C	26	2
Agency D	36	8
Agency E	2	2
Agency F	9	8
Agency G	84	78
Agency H	54	52
Agency I	2	0

# Purpose

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Transparency and  
protections birth  
and adoptive  
parents

2

Supporting ethical  
adoptions

3

Improving data  
collection and  
agency oversight

4

Addressing the  
costs of adoptions

# Child-Placing Adoption Agencies

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- Agencies must become nonprofit by 2027
- Disclosure of licensure status in advertising as well as no mention of financial incentives
- Transparency on complaints and violations
- Agency must disclose if it has a financial interest in a service provider than will benefit from the adoption services
- Protections for birth parents that are transported from other states
- Clarify Utah Child-Placing Adoption Agency Consortium organization, responsibilities, and oversight
- Office of Licensing must investigate reported violations and may suspend or revoke agency licenses

# 1<sup>st</sup> Substitute Changes

- Distinguishes between “child-placing adoption agencies” and “child-placing foster agencies”
- Adds consortium membership fee and gives consortium authority to approve an agency’s request to exceed the financial limits (instead of placing that burden on the courts)
- Birth parent cannot be required to waive their right to an attorney
- Requires agency to inquire about a birth mother’s health before transporting to Utah
- Adjusts the reporting to the Office of Licensing to include whether the consortium approved exceeding the financial limits and only reports out of state Medicaid if the parent is transported to Utah
- Requires an attorney that arranges the placement of a child to report the fees and expenses to the Office of Licensing
- Removes the requirement for an agency to amend an expense affidavit & requires the report in 75 days after the adoption instead of 30


## 1<sup>st</sup> Substitute Clarifications

- Clarifies that if the birth parent waives the revocation period, it needs to be done in writing
- Clarifies that the court has to determine whether the consent was given under duress, fraud, or undue influence
- Clarifies that the section addressing the relinquishment/revocation period does not impact the safe haven law

# Child- Placing Adoption Agency Fees and Expenses

- An agency may pay up to \$8,000 for a birth parent's living expenses in addition to a weekly allowance of up to \$200/week + \$75/week per dependent
- Weekly allowance is for daily living needs and may be paid directly to birth parent on a weekly basis, no lump sum
- Other living expenses should be paid to service providers
- Medical and legal expenses covered
- Consortium may approve expenses that exceed limitations

# Agency Data Collection

- Collect Medicaid status info
  - Comprehensive data reporting on services that agencies provide to birth parents that the agency works with, even if it does not result in adoption
  - Agencies will report to the Office of Licensing, including outcomes, out-of-state travel, timelines and locations of services provided, whether public assistance was used
  - Also report costs of services by category: weekly allowances, gifts, living expenses, medical expenses, etc.
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# Procedures and Protections for All Adoptions

Clarifies birth parent's right to legal counsel

Birth parent's right to mental health therapy, expands the minimum number of sessions a parent is entitled to

Prohibits coercion and pre-relinquishment gift discussions

Allows birth parent to revoke consent or relinquishment within 72 hours and parent may waive that right.

Allows birth parent to revoke consent or relinquishment before adoption is finalized if consent or relinquishment was given under duress, fraud, or undue influence

Restrictions on signing under medication

Modifies the way expenses are reported to court, focusing on what the adoptive parent paid in specific categories

# Other Changes

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Defines terms: coercion, daily living needs, directly affected person, living expenses, weekly allowance, adoption services



Directs healthcare facility that provide birthing services to develop policies regarding adoption services that occur at the facility



Requires healthcare facilities to report in certain circumstances



Allows healthcare facilities and employees to report in certain circumstances

*Re: Labor and Delivery Services at [REDACTED] Medical Center*

Dear Ms. [REDACTED]

Our law firm represents [REDACTED] (the “Hospital”). Due to concerns about your adoption agency, the Hospital is no longer willing to provide labor and delivery services to birth mothers associated with [REDACTED]. Of course, the Hospital will comply with its EMTALA obligations, related to patients in need of emergency evaluation and treatment that present at its Emergency Department. However, absent its EMTALA obligations, those associated with [REDACTED] are no longer welcome to receive services at the Hospital.

If you have any questions or concerns, please contact me at [REDACTED] or at [REDACTED].

Very truly yours,

[REDACTED]