

Adoption Amendments

Judiciary
Interim
Committee
2025

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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<https://www.freeadoptionhelp.com/adoption/money>

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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.

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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

- 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

1

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 Agencies

- 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 Agency Consortium organization, responsibilities, and oversight
- Office of Licensing must investigate reported violations and may suspend or revoke agency licenses

Child- Placing 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
- Court 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



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]