

Representative Nora B. Stephens proposes to substitute the following bill:

NOTICE TO POTENTIAL ADOPTIVE

PARENTS

2000 GENERAL SESSION

STATE OF UTAH

Sponsor: Nora B. Stephens

AN ACT RELATING TO HUMAN SERVICES; MODIFYING THE DUTIES OF PRIVATE CHILD PLACING AGENCIES TO INFORM POTENTIAL ADOPTIVE PARENTS ABOUT CHILDREN IN STATE CUSTODY WHO ARE AVAILABLE FOR ADOPTION; REQUIRING THE DIVISION OF CHILD AND FAMILY SERVICES TO PREPARE A PAMPHLET FOR DISTRIBUTION TO POTENTIAL ADOPTIVE PARENTS THROUGH PRIVATE CHILD PLACING AGENCIES; AND MAKING CONFORMING AMENDMENTS.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

62A-4a-205.6, as last amended by Chapter 274, Laws of Utah 1998

62A-4a-607, as last amended by Chapters 195 and 329, Laws of Utah 1997

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **62A-4a-205.6** is amended to read:

62A-4a-205.6. Adoptive placement time frame -- Contracting with agencies.

(1) With regard to [~~children~~] a child who [~~have~~] has a primary permanency goal of adoption or for whom a final plan for pursuing termination of parental rights has been approved in accordance with Section 78-3a-312, the division shall make intensive efforts to place the child in an adoptive home within 30 days [~~after the final plan has been approved~~] of the earlier of:

(a) approval of the final plan; or

(b) establishment of the primary permanency goal.

(2) If within the time [~~period~~] periods described in Subsection (1) the division is unable

26 to locate a suitable adoptive home, it shall contract with licensed child placing agencies to search
27 for an appropriate adoptive home for the child, and to place the child for adoption. The division
28 shall comply with the requirements of Section 62A-4a-607 and contract with a variety of child
29 placing agencies licensed under Part 6. In accordance with federal law, the division shall develop
30 plans for the effective use of cross-jurisdictional resources to facilitate timely adoptive or
31 permanent placements for waiting children.

32 (3) The division shall ensure that children who are adopted and were previously in its
33 custody, continue to receive the medical and mental health coverage that they are entitled to under
34 state and federal law.

35 Section 2. Section **62A-4a-607** is amended to read:

36 **62A-4a-607. Promotion of adoption -- Agency notice potential adoptive parents.**

37 (1) The division and all child placing agencies licensed under this part shall promote
38 adoption when that is a possible and appropriate alternative for a child. Specifically, in accordance
39 with Section 62A-4a-205.6, the division shall actively promote the adoption of all children in its
40 custody who have a final plan for termination of parental rights pursuant to Section 78-3a-312[;]
41 or a primary permanency goal of adoption.

42 (2) The division shall obtain or conduct research of prior adoptive families to determine
43 what families may do to be successful with their adoptive children and shall make this research
44 available to potential adoptive parents.

45 (3) (a) [~~On or before July 1, 1997, each~~] A child placing agency licensed under this part
46 shall [~~provide all~~] inform each potential adoptive [~~parents who have applied for adoption with that~~
47 ~~agency with information regarding all~~] parent with whom it is working that:

48 (i) children in the custody of the [~~division who have a permanency goal of~~] state are
49 available for adoption [~~and who are eligible for adoption. That notification shall include~~
50 ~~information regarding adoption subsidies, ongoing medical~~];

51 (ii) Medicaid coverage for medical, dental, and mental health [~~coverage for the adopted~~
52 ~~child,~~] services may be available for these children;

53 (iii) tax benefits and financial assistance may be available to defray the costs of adopting
54 these children;

55 (iv) training [~~for adoptive parents, and continued~~] and ongoing support [~~for~~] may be
56 available to the adoptive parents [~~pursuant to Section 62A-4a-205.6. (b) The notification and~~] of

57 these children; and

58 (v) information [provided pursuant to Subsection (3)(a) shall include a time-limited
59 request for permission from the potential adoptive parents to provide the division with their names.
60 With regard to those parents who grant permission, the agency shall provide the division with
61 those names within ten calendar days of receiving permission. Upon receipt of those names, the]
62 about individual children may be obtained by contacting the division's offices or its Internet site
63 as explained by the child placing agency.

64 (b) A child placing agency shall:

65 (i) provide the notice required by Subsection (3)(a) at the earliest possible opportunity; and

66 (ii) simultaneously distribute a copy of the pamphlet prepared by the division in
67 accordance with Subsection (3)(d).

68 (c) As a condition of licensure, the child placing agency shall certify to the Office of
69 Licensing at the time of license renewal that it has complied with the provisions of this section.

70 (d) Before July 1, 2000, the division shall:

71 (i) prepare a pamphlet that explains the information that is required by Subsection (3)(a);

72 and

73 (ii) regularly distribute copies of the pamphlet described in Subsection (3)(d)(i) to child
74 placing agencies.

75 (e) The division shall [consider the suitability of those persons as potential adoptive
76 parents for children in the custody of the division, provide the agency with the names and complete
77 case histories of appropriate children, and provide the training and support described in Subsection
78 62A-4a-205.6(4)] respond to any inquiry made as a result of the notice provided in Subsection
79 (3)(a).