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Title 22@ Social Security

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Division 2@ Department of Social Services-Department of Health Services

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Part 2@ Health and Welfare Agency-Department of Health Services Regulations

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Subdivision 4@ Institutions and Boarding Homes for Persons Aged 16 and Above

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Chapter 3@ Adoptions Program Regulations [Renumbered]

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Subchapter 3@ Administrative Requirements

35049 Releasing Information from an Adoption Case

Article 3@ Procedures for Post-Adoption Services

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Section 35049@ Releasing Information from an Adoption Case

Record**(a)**

Refer to Subchapter 8 for additional procedures for the child subject to the provision of the ICWA.

(b)

An adoption case record is confidential. (1) An adoption case record is established when:(A) An agency accepts the signed relinquishment for an adoptive placement of a child from a relinquishing parent or when a Court orders termination of parental rights and refers the child for adoption planning. (B) An agency accepts the completed and signed adoption application from a prospective adoptive parent or parents. (C) An agency receives a filed and endorsed petition for an independent adoption, and, if required, an attached signed adoption placement agreement. (D) An agency receives any documentation submitted to the agency to facilitate the adoption of a child.

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(C)

An agency receives a filed and endorsed petition for an independent adoption, and, if required, an attached signed adoption placement agreement.

(D)

An agency receives any documentation submitted to the agency to facilitate the adoption of a child.

(c)

An agency shall release information from an adoption case record as follows: (1) To the individual to whom the information pertains pursuant to Civil Code section 1798.24(a); (A) Upon written request, the agency shall provide the requestor copies of materials they submitted to the agency or documents they signed during the adoption proceedings. (B) No agency shall include or disclose the identity of the adoptee's birth parent or birth parents in information provided under Civil Code section 1798.24(a). (2) To an adopted person pursuant to Civil Code section 1798.24(q). (A) The release of such information shall be limited to general background information pertaining to the adopted person's natural

parents, provided that the information does not include or reveal the identity of the natural parents. (3) To the child or grandchild of an adopted person pursuant to Civil Code section 1798.24(r). (A) The release of such information shall be limited to medically necessary information pertaining to the adopted person's natural parents. The information, or the process for obtaining the information, shall not include or reveal the identity of the natural parents. (4) A copy of the medical report to the adopted person or the adoptive parent pursuant to Family Code section 9202. (5) To the juvenile court for the purpose of completing a preliminary assessment of the child's adoptability pursuant to Welfare and Institutions Code sections 361.56(g), 366.21(l), 366.22(c) and 366.25(b).

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To the juvenile court for the purpose of completing a preliminary assessment of the child's adoptability pursuant to Welfare and Institutions Code sections 361.56(g), 366.21(l), 366.22(c) and 366.25(b).

(d)

If adoption records are subpoenaed, the agency should refer the matter to its legal counsel.