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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 4@ Procedures for Independent Adoptions

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Article 1@ Agency Responsibility

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Section 35087@ Documentation to Facilitate Assessment

35087 Documentation to Facilitate Assessment

(a) The agency shall obtain the following documentation for all petitioners to facilitate the assessment: (1) Authorization for the release of medical and employment information on the petitioner. (2) Authorization for release of financial information, if necessary. (3) Report of medical examination on the petitioner (A) The medical report shall be signed by a licensed physician or a nurse practitioner practicing under licensed physician. (B) The medical examination required by this section shall have been conducted no earlier than six months prior to the filing of the petition. (C) The agency shall waive the medical report when the petitioners are members of a religious sect, denomination, or organization which, in accordance with its creeds or tenets, relies on faith and prayer for healing. (4) School report for all school age children residing in the home of the petitioner. (5) For each adult residing in the home of the petitioner, a certificate that the individual is free from communicable tuberculosis. (6) At least three letters of reference regarding the suitability of the petitioner as an adoptive parent. (A) The agency shall be permitted to substitute face-to-face interviews with individuals providing references for letters of reference. (1) Interviews with individuals providing references shall be documented in the adoption case record. (7) The full state criminal record, if any, from the State Department of Justice (DOJ). (A) (Reserved) (B) The agency shall submit one set of fingerprints for each petitioner

to the DOJ. 1. The agency shall clearly indicate "Adoption" on the request to inform the DOJ of the purpose of the criminal record clearance. (C) The agency shall contract with the DOJ for the Subsequent Arrest Notification Service in order to receive arrest information subsequent to the original DOJ criminal record sent to the agency and pending the court order granting the completion of the adoption. (D) The agency shall notify the DOJ (Pursuant to Penal Code Section 11105.2c) when the adoption has been finalized, denied, or dismissed to discontinue receiving subsequent arrest information on a subject previously fingerprinted for adoption purposes, unless the petitioner is being assessed or investigated by the agency for another adoption. (E) The agency shall require new sets of fingerprints and shall make new requests for state criminal records to the DOJ in the event of subsequent adoptions unless the Subsequent Arrest Notification Service is still in effect. (8) The FBI criminal record, if any, of the petitioner, from the DOJ when the petitioner has resided in California for less than two years or when information gathered in the assessment has given the agency reason to believe that the petitioner may have committed a crime in another jurisdiction. (A) The agency shall have reason to believe that the person may have committed a crime in another jurisdiction because of any of the following: statements or actions by the petitioners; statements by people providing references: a history of arrests and convictions in California; and employment in another state. (B) The agency shall submit one set of fingerprints for each petitioner requiring an FBI criminal record clearance to the DOJ. (C) The agency shall require new sets of fingerprints and shall make new requests to the DOJ for the FBI criminal record in the event of subsequent adoptions.

(1)

Authorization for the release of medical and employment information on the petitioner.

(2)

Authorization for release of financial information, if necessary.

(3)

Report of medical examination on the petitioner (A) The medical report shall be signed by a licensed physician or a nurse practitioner practicing under licensed physician. (B) The medical examination required by this section shall have been conducted no earlier than six months prior to the filing of the petition. (C) The agency shall waive the medical report when the petitioners are members of a religious sect, denomination, or organization which, in accordance with its creeds or tenets, relies on faith and prayer for healing.

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(B)

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The agency shall waive the medical report when the petitioners are members of a religious sect, denomination, or organization which, in accordance with its creeds or tenets, relies on faith and prayer for healing.

(4)

School report for all school age children residing in the home of the petitioner.

(5)

For each adult residing in the home of the petitioner, a certificate that the individual is free from communicable tuberculosis.

(6)

At least three letters of reference regarding the suitability of the petitioner as an adoptive parent. (A) The agency shall be permitted to substitute face-to-face interviews with individuals providing references for letters of reference.(1) Interviews with individuals providing references shall be documented in the adoption case record.

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The full state criminal record, if any, from the State Department of Justice (DOJ). (A) (Reserved) (B) The agency shall submit one set of fingerprints for each petitioner to the DOJ. 1. The agency shall clearly indicate "Adoption" on the request to inform the DOJ of the purpose of the criminal record clearance. (C) The agency shall contract with the DOJ for the Subsequent Arrest Notification Service in order to receive arrest information subsequent to the original DOJ criminal record sent to the agency and pending the court order granting the completion of the adoption. (D) The agency shall notify the DOJ (Pursuant to Penal Code Section 11105.2c) when the adoption has been finalized, denied, or dismissed to discontinue receiving subsequent arrest information on a subject previously fingerprinted for adoption purposes, unless the petitioner is being assessed or investigated by the agency for another adoption. (E) The agency shall require new sets of fingerprints and shall make new requests for state criminal records to the DOJ in the event of subsequent adoptions unless the Subsequent Arrest Notification Service is still in effect.

(A)

(Reserved)

(B)

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(C)

The agency shall contract with the DOJ for the Subsequent Arrest Notification Service in order to receive arrest information subsequent to the original DOJ criminal record sent to the agency and pending the court order granting the completion of the adoption.

(D)

The agency shall notify the DOJ (Pursuant to Penal Code Section 11105.2c) when the adoption has been finalized, denied, or dismissed to discontinue receiving subsequent arrest information on a subject previously fingerprinted for adoption purposes, unless the petitioner is being assessed or investigated by the agency for another adoption.

(E)

The agency shall require new sets of fingerprints and shall make new requests for state criminal records to the DOJ in the event of subsequent adoptions unless the Subsequent Arrest Notification Service is still in effect.

(8)

The FBI criminal record, if any, of the petitioner, from the DOJ when the petitioner has resided in California for less than two years or when information gathered in the assessment has given the agency reason to believe that the petitioner may have

committed a crime in another jurisdiction. (A) The agency shall have reason to believe that the person may have committed a crime in another jurisdiction because of any of the following: statements or actions by the petitioners; statements by people providing references: a history of arrests and convictions in California; and employment in another state. (B) The agency shall submit one set of fingerprints for each petitioner requiring an FBI criminal record clearance to the DOJ. (C) The agency shall require new sets of fingerprints and shall make new requests to the DOJ for the FBI criminal record in the event of subsequent adoptions.

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The agency shall submit one set of fingerprints for each petitioner requiring an FBI criminal record clearance to the DOJ.

(C)

The agency shall require new sets of fingerprints and shall make new requests to the DOJ for the FBI criminal record in the event of subsequent adoptions.