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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

## 35094.1 Adoption Service Provider Registration and Duty of Care

Article 2@ Placement for Independent Adoption

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Section 35094.1@ Adoption Service Provider Registration and Duty of Care

### (a)

Prior to acting as an adoption service provider in California, the potentially qualified individual shall register with the Adoptions Branch of the department at Sacramento by providing the following evidence that he or she meets the qualifications specified in Family Code Section 8502. The registration shall be acknowledged by the department. (1) The individual shall provide, or cause to be provided, to the department at: California Department of Social Services Adoptions Branch 744 P Street, M.S. 19-67 Sacramento, California 95814 (A) A copy of the individual's current license as a Licensed Clinical Social Worker. (B) An original letter or letters mailed to the department by the adoption agency or agencies with whom the individual worked attesting to the individual's experience and giving specific dates of employment. (2) Verification or clarification of the information provided by the individual shall be obtained by the department, if necessary, from the Board of Behavioral Sciences Examiners and/or the employer(s). (3) No individual shall be registered unless he or she possesses the required license and experience. (A) If an individual has been registered and the department subsequently determines that he or she in fact lacks the required license and/or experience, registration of the individual shall be terminated. 1. Prior to terminating the registration of an individual adoption service provider, the

department shall mail the adoption service provider a written notice of termination and the reason(s) for the termination. (B) The department shall not terminate the registration if, within fifteen working days after the department mails the notice, the adoption service provider mails a written response providing additional information verifying that the license and/or experience meets the requirements in Section 35094.1(a). (C) If the additional information provided by the adoption service provider does not meet the license and/or experience requirements in Section 35094.1(a), the department shall terminate the registration. (4) A complaint with the Board of Behavioral Science Examiners shall be filed by the department or delegated county adoption agency when the actions of an individual adoption service provider are not in compliance with the department's regulations.

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The individual shall provide, or cause to be provided, to the department at: California Department of Social Services Adoptions Branch 744 P Street, M.S. 19-67 Sacramento, California 95814 (A) A copy of the individual's current license as a Licensed Clinical Social Worker. (B) An original letter or letters mailed to the department by the adoption agency or agencies with whom the individual worked attesting to the individual's experience and giving specific dates of employment.

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Verification or clarification of the information provided by the individual shall be obtained by the department, if necessary, from the Board of Behavioral Sciences Examiners and/or the employer(s).

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No individual shall be registered unless he or she possesses the required license and experience. (A) If an individual has been registered and the department subsequently determines that he or she in fact lacks the required license and/or experience, registration of the individual shall be terminated. 1. Prior to terminating the registration of an individual adoption service provider, the department shall mail the adoption service provider a written notice of termination and the reason(s) for the termination. (B) The department shall not terminate the registration if, within fifteen working days after the department mails the notice, the adoption service provider mails a written response providing additional information verifying that the license and/or experience meets the requirements in Section 35094.1(a). (C) If the additional information provided by the adoption service provider does not meet the license and/or experience requirements in Section 35094.1(a), the department shall terminate the registration.

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**(B)**

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**(C)**

If the additional information provided by the adoption service provider does not meet the license and/or experience requirements in Section 35094.1(a), the department shall terminate the registration.

**(4)**

A complaint with the Board of Behavioral Science Examiners shall be filed by the department or delegated county adoption agency when the actions of an individual adoption service provider are not in compliance with the department's regulations.

**(b)**

The adoption service provider shall comply with Family Code Section 8801.7, which provides that the adoption service provider owes a very high duty of care to the birth parent being advised.(1) (Reserved)

**(1)**

(Reserved)

**(c)**

(Reserved)