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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

35097 Determination of Parent's Ability to Understand

Article 3@ Prerequisites to Consent

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Section 35097@ Determination of Parent's Ability to Understand Content, Nature and Effect of Consent

Content, Nature and Effect of Consent

(a)

The agency shall determine that the consenting parent has the ability to understand the nature, content and effect of signing a consent to adoption. (1) If the agency determines that the parent may not have the ability to understand the content, nature, and effect of signing a consent to adoption, the agency shall refer the parent to a licensed physician or to a licensed clinical psychologist for an evaluation of the parent's ability to so understand. (A) The agency shall accept the consent to adoption only after the evaluation establishes that the parent has the ability to understand the nature, content, and effect of signing a consent to adoption.

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