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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 5@ Procedures for Agency Adoptions

## **35177 Written Application, Agency Actions, and Authority for Disapproval**

Article 10@ Application to Adopt

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Section 35177@ Written Application, Agency Actions, and Authority for Disapproval

### **(a)**

The agency shall require a written application for adoption before it conducts an assessment of the applicant.

### **(b)**

The agency shall provide information to the adoptive applicant as specified in Sections 35179 and 35179.1.

### **(c)**

The agency shall assess each applicant as specified in Sections 35181 or 35183. (2) If the anticipated waiting time before the agency begins an assessment is more than six months, the agency shall: (A) Provide the applicant with the names of the other agencies which provide assessment services in the county where the applicant resides; and (B) Inform the applicant of the availability of the federal income tax credit which may reimburse the family for all or part of the cost of an assessment by a licensed private adoption agency.

### **(2)**

If the anticipated waiting time before the agency begins an assessment is more than six months, the agency shall: (A) Provide the applicant with the names of the other agencies which provide assessment services in the county where the applicant resides; and (B) Inform the applicant of the availability of the federal income tax credit which

may reimburse the family for all or part of the cost of an assessment by a licensed private adoption agency.

**(A)**

Provide the applicant with the names of the other agencies which provide assessment services in the county where the applicant resides; and

**(B)**

Inform the applicant of the availability of the federal income tax credit which may reimburse the family for all or part of the cost of an assessment by a licensed private adoption agency.

**(d)**

The agency shall provide the applicant with written information that describes the Adoption Assistance Program.

**(e)**

The agency shall have the authority to make a determination that the applicant shall not be approved for adoptive placement of a child at any point in the assessment process.

**(f)**

The agency shall not approve an application for the adoptive placement of a child until all of the following requirements have been met: (1) The agency has completed the assessment process as specified in Section 35181 or Section 35183. (2) The agency, when it is a licensed private adoption agency, has received written notification from the CDSS that the information contained in an FBI criminal record of an applicant does not preclude an adoptive placement.

**(1)**

The agency has completed the assessment process as specified in Section 35181 or Section 35183.

**(2)**

The agency, when it is a licensed private adoption agency, has received written notification from the CDSS that the information contained in an FBI criminal record of an applicant does not preclude an adoptive placement.

**(g)**

The agency shall provide the applicant with written notification of its decision regarding the adoptive placement of a child with the applicant.(1) Written notification of the agency's decision that the application is approved shall include identification of age, race, gender and characteristics of children considered for placement. (2) Written notification of the agency's decision not to approve the applicant for adoptive placement, made at any point in the assessment process, shall include identification of the factors which led to the agency's decision.

**(1)**

Written notification of the agency's decision that the application is approved shall include identification of age, race, gender and characteristics of children considered for placement.

**(2)**

Written notification of the agency's decision not to approve the applicant for adoptive placement, made at any point in the assessment process, shall include identification of the factors which led to the agency's decision.

**(h)**

The agency shall inform the applicant in writing of the agency's grievance review procedure and the applicant's right to file a grievance with the agency within 30 days of receipt of the decision. (1) If the applicant files a grievance with the agency, the agency shall comply with the procedures set forth in Section 35215. (2) When a grievance concerns an action based on an FBI criminal record, the agency shall comply with the procedure set forth at Section 35215(a)(1)(D).

**(1)**

If the applicant files a grievance with the agency, the agency shall comply with the procedures set forth in Section 35215.

**(2)**

When a grievance concerns an action based on an FBI criminal record, the agency shall comply with the procedure set forth at Section 35215(a)(1)(D).