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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

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Article 14@ Grievance Review

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Section 35215@ Written Request for Grievance Review

35215 Written Request for Grievance Review

(a) Upon written request from an applicant or a prospective adoptive parent, the agency shall provide for a grievance review hearing on any action taken by the agency before a petition for adoption is filed.(1) The agency shall advise applicants or prospective adoptive parents that the request for a grievance review hearing shall: (A) Be signed by the applicant or prospective adoptive parent or his or her authorized representative. (B) State specifically the facts surrounding the action complained of. (C) Be submitted to the agency within thirty days of the agency action which is the subject of the complaint, except as specified in (D) below. (D) Be submitted to the CDSS if the grievance concerns an action taken by a licensed private adoption agency based on the FBI criminal record. (2) No request for a grievance review hearing shall be granted if the request for a grievance review hearing is based solely on any of the following: (A) Any action of the agency in compliance with a court order. (B) A question regarding the validity of a statute or a regulation. (C) Any issue for which a state hearing is available under Welfare and Institutions Code Section 10950.

(1)

The agency shall advise applicants or prospective adoptive parents that the request for a grievance review hearing shall: (A) Be signed by the applicant or prospective adoptive parent or his or her authorized representative. (B) State specifically the facts

surrounding the action complained of. (C) Be submitted to the agency within thirty days of the agency action which is the subject of the complaint, except as specified in (D) below. (D) Be submitted to the CDSS if the grievance concerns an action taken by a licensed private adoption agency based on the FBI criminal record.

(A)

Be signed by the applicant or prospective adoptive parent or his or her authorized representative.

(B)

State specifically the facts surrounding the action complained of.

(C)

Be submitted to the agency within thirty days of the agency action which is the subject of the complaint, except as specified in (D) below.

(D)

Be submitted to the CDSS if the grievance concerns an action taken by a licensed private adoption agency based on the FBI criminal record.

(2)

No request for a grievance review hearing shall be granted if the request for a grievance review hearing is based solely on any of the following: (A) Any action of the agency in compliance with a court order. (B) A question regarding the validity of a statute or a regulation. (C) Any issue for which a state hearing is available under Welfare and Institutions Code Section 10950.

(A)

Any action of the agency in compliance with a court order.

(B)

A question regarding the validity of a statute or a regulation.

(C)

Any issue for which a state hearing is available under Welfare and Institutions Code Section 10950.