

5101:2-48-15

Provision of information to a prospective adoptive parent matched with a specific child.

- (A) Prior to placing a child with the adoptive parent(s), the public children services agency (PCSA) or private child placing agency (PCPA) shall provide the prospective adoptive parent(s) with information about the child and any special needs of the child, identified or anticipated, and available resources to assist the prospective adoptive parent(s) in making an informed decision about the placement. If a newborn child is placed from a hospital into an adoptive home, the PCSA or PCPA is to provide the information required in this rule to the adoptive parent(s) as soon as it is available, but no later than thirty days after the adoptive placement.
- (B) Prior to the date of adoptive placement, the PCSA or PCPA shall, as applicable:
- (1) Provide the prospective adoptive parent(s) with the child study inventory. The information disclosed to the adoptive parent(s) shall include all background information available on the child in accordance with rule 5101:2-48-21 of the Administrative Code. ~~All identifying information regarding the child's biological family shall be removed.~~
 - (2) Provide the adoptive family with written information describing types of behavior that the prospective adoptive parent may anticipate from children who have experienced abuse and neglect, suggested interventions, and the post adoption services available if the child exhibits those types of behavior after adoption.
 - (3) Provide the prospective adoptive parent(s) with information regarding any child-specific financial and medical resources, known or anticipated, including subsidy information.
 - (4) Provide the prospective adoptive parent(s) with the child's lifebook.
 - (5) Provide the prospective adoptive parent(s) with materials the biological parent(s) requested be given to the adopted person or adoptive parent(s), if authorization is given on the JFS 01693 "Ohio Law and Adoption Materials" ~~(rev. 5/2009)~~.
 - (6) Provide the prospective adoptive parent(s) with photographs of the biological parent(s) that the birth parent requested be given to the adopted person or adoptive parent(s), if authorization is given on the JFS 01693.
 - (7) Provide the prospective adoptive parent(s) with the biological parent's first name, if authorization is given on the JFS 01693.
 - (8) Provide the prospective adoptive parent(s) with the child's social security number, if applicable.

~~(C)~~ If a newborn child is placed from a hospital into an adoptive home, the PCSA or PCPA shall provide the information required in paragraph (B) of this rule to the adoptive parent(s) within thirty days of the adoptive placement.

~~(D)~~(C) Prior to the adoptive placement, the PCSA or PCPA shall provide a written report to the adoptive parent(s) if the child has been adjudicated a delinquent for an act to which of any of the following offenses apply:

- (1) Aggravated murder.
- (2) Murder.
- (3) Voluntary manslaughter.
- (4) Involuntary manslaughter.
- (5) Felonious assault.
- (6) Aggravated assault.
- (7) Assault.
- (8) Rape.
- (9) Sexual battery.
- (10) Gross sexual imposition.
- (11) Conspiracy involving an attempt to commit aggravated murder or murder.
- (12) Any other offense that would be a felony if committed by an adult, and the child was found to be using or in possession of a firearm when the child committed the offense.
- (13) Any other offense that would be a felony if committed by an adult, and the child was found to be wearing or carrying body armor when the child committed the offense.

~~(E)~~(D) The written report required for those children adjudicated delinquent pursuant to by paragraph ~~(D)~~(C) of this rule shall include the following information:

- (1) A descriptive summary of the child's social history.
- (2) Unless a child's record has been sealed pursuant to section 2151.356 of the Revised Code, a description of all the known acts committed by the child that resulted

in the court making a disposition that the child is adjudicated delinquent. If the agency knows the child's record has been sealed, the prospective adoptive parent(s) shall be informed in writing by the agency that the child's record of a prior delinquency adjudication has been sealed.

- (3) A description of any other violent act(s) committed by the child of which the PCSA or PCPA is aware.
- (4) The substantial and material conclusions and recommendations of any psychiatric or psychological examination conducted on the child.

(a) Pursuant to section 2152.72 of the Revised Code, if a child has been adjudicated delinquent for any of the crimes listed in paragraph (C) of this rule, the custodial agency is to ensure that a new psychological examination of the child is completed unless either of the following apply:

(i) A psychological examination of the child has been conducted within twelve months prior to the child's placement in the adoptive home and the child's record has not been sealed in accordance with section 2151.36.

(ii) A psychological examination of the child has been conducted within twenty-four months prior to the date of the adoptive placement when the child is being adopted by their foster caregiver.

~~(a)~~(b) If no psychological or psychiatric examination of the child is available, the agency shall include the substantial and material conclusions and recommendations of an examination to detect mental and emotional disorders conducted in compliance with the requirements of Chapter 4757. of the Revised Code by one of the following licensed professionals:

- (i) An independent social worker.
- (ii) A social worker.
- (iii) A licensed professional clinical counselor.
- (iv) A licensed professional counselor.
- (v) An independent marriage and family therapist.
- (vi) A marriage and family therapist.

~~(b)~~(c) The agency shall not provide any part of the examination to the adoptive parent(s) other than the substantial and material conclusions and recommendations.

(d) If a new psychological examination was required pursuant to this rule, the custodial agency is to provide the prospective adoptive parent with the substantial and material conclusions and recommendations within sixty days of the date of the adoptive placement. The custodial agency is not to provide any part of an examination required by this rule to the prospective adoptive parent other than the substantial and material conclusions and recommendations.

~~(F) Pursuant to section 2152.72 of the Revised Code, if a child has been adjudicated delinquent for any of the crimes listed in paragraph (D) of this rule, the custodial agency shall ensure that a current psychological examination of the child has been conducted unless either of the following apply:~~

~~(1) A psychological examination of the child has been conducted within twelve months prior to the child's placement in the adoptive home.~~

~~(2) A psychological examination of the child has been conducted within twenty four months prior to the date of the adoptive placement when the foster caregiver seeks to adopt the foster caregiver's foster child.~~

~~(G) If a current psychological examination was required pursuant to paragraph (F) of this rule, the custodial agency shall provide the prospective adoptive parent with the substantial and material conclusions and recommendations within sixty days of the date of the adoptive placement. The custodial agency shall not provide any part of a psychological, psychiatric, or mental and emotional disorder examination required by this rule to the prospective adoptive parent other than the substantial and material conclusions and recommendations.~~

~~(H)~~(E) In accordance with sections 2152.72 and 2152.99 of the Revised Code, it is a minor misdemeanor for any person, including staff of a PCSA or PCPA responsible for a child's placement in a prospective adoptive home or staff of a PNA responsible for the prospective adoptive home, to fail to provide the prospective adoptive parent(s) with the information required by paragraphs (C) and (D), ~~(E), and (G)~~ of this rule. It is not a violation of confidentiality to provide such information.

~~(H)~~(F) If a custodial agency places a child who has been adjudicated delinquent for any of the offenses listed in paragraph ~~(D)~~(C) of this rule in a prospective adoptive home with the assistance of or by contracting with another agency, then all of the following apply:

- (1) The custodial agency shall provide the other agency with the information outlined in ~~paragraph~~ paragraphs (E)(C) and (D) of this rule.
 - (2) The agency providing assistance to or contracting with the custodial agency shall provide ~~the custodial agency with~~ written acknowledgment to the custodial agency that the ~~other agency received the~~ information outlined in ~~paragraph~~ paragraphs (E)(C) and (D) of this rule ~~and has provided that information to the prospective adoptive parent(s) was received.~~
 - (3) The custodial agency shall keep the acknowledgment and provide a copy to the other agency.
 - ~~(4) If the custodial agency does not receive the acknowledgement the custodial agency shall remain responsible for providing the prospective adoptive parents with information outlined in paragraph (E) of this rule.~~
- ~~(J)~~ (G) The adoptive family case record and the adoptive child case record shall contain documentation of the information provided to the adoptive family and of the family's receipt of the information required in this rule.
- ~~(K) The custodial agency shall maintain the following in the child's case record:~~
- ~~(1) The date information required by this rule was provided to the prospective adoptive parent(s):~~
 - ~~(2) The JFS 01667 "Adoption Information Disclosure" (rev. 9/2003) containing the required signatures.~~

Effective: 5/1/2021
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CERTIFIED ELECTRONICALLY

Certification

03/30/2021

Date

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