

5101:2-48-15

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

(A) Prior to placing a child into a specific adoptive home, the public children services agency (PCSA) or private child placing agency (PCPA) shall provide the prospective adoptive parent with information about the child and any special needs of the child, identified or anticipated, and available resources to assist the prospective adoptive parent in making an informed decision about the placement.

(B) Prior to the date of adoptive placement, the PCSA or PCPA shall:

(1) Provide the prospective adoptive parent with the child study inventory. The information disclosed to the adoptive parent 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 birth family shall be removed;

(2) Provide the prospective adoptive parent with information regarding any child-specific financial and medical resources, known or anticipated, including subsidy information;

(3) Provide the prospective adoptive parent with the child's lifebook;

(4) Provide the prospective adoptive parent with materials the birth parents requested be given to the adopted person or adoptive parent, when authorization is given on the JFS 01693 "Ohio Law and Adoption Materials;"

(5) Provide the prospective adoptive parent with photographs of the birth parents that the birth parent requested be given to the adopted person or adoptive parent, when authorization is given on the JFS 01693 "Ohio Law and Adoption Materials;"

(6) Provide the prospective adoptive parent with the birth parent's first name, when authorization is given on the JFS 01693 "Ohio Law and Adoption Materials;"

(7) Provide the prospective adoptive parent with the child's social security number, if applicable;

(8) Provide the prospective adoptive parent with a written report containing the information specified in paragraph (B)(9) of this rule when the child has been adjudicated a delinquent for an act to which of any of the following offenses apply:

(a) Aggravated murder,

(b) Murder,

(c) Voluntary manslaughter,

- (d) Involuntary manslaughter.
- (e) Felonious assault.
- (f) Aggravated assault.
- (g) Assault.
- (h) Rape.
- (i) Sexual battery.
- (j) Gross sexual imposition.
- (k) Conspiracy involving an attempt to commit aggravated murder or murder.
- (l) Any other offense that would be a felony if committed by an adult, and the child upon committing the offense, was found to be using or in possession of a firearm, or
- (m) Any other offense that would be a felony if committed by an adult, and the child, upon committing the offense, was found to be wearing or carried body armor.
- (9) Provide the prospective adoptive parent with a written report required by paragraph (B)(8) of this rule containing the following information:

 - (a) A descriptive summary of the child's social history;
 - (b) Unless a child's record has been sealed pursuant to section 2151.358 of the Revised Code, a description of all the known acts committed by the child that resulted in the child being adjudicated a delinquent and the disposition made by the court. If the agency knows the child's record has been sealed, the prospective adoptive parents shall be informed in writing by the agency that the child's record of a prior delinquency adjudication has been sealed;
 - (c) A description of any other violent act(s) committed by the child of which the PCSA or PCPA is aware;
 - (d) The substantial and material conclusions and recommendations of any psychiatric or psychological examination conducted on the child or, if no psychological or psychiatric examination of the child is available, the substantial and material conclusions and recommendations of an examination to detect mental and emotional disorders conducted in compliance with the requirements of Chapter 4756 of the Revised Code

by a licensed independent social worker, licensed social worker, licensed professional clinical counselor, or licensed professional counselor; and,

- (10) 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.
- (C) When a newborn child is placed from a hospital into an adoptive home, the information required in paragraph (B) of this rule shall be provided to the adoptive parent within thirty days of the adoptive placement.
- (D) The adoptive family case record shall contain documentation of the information provided to the adoptive family and of the family's receipt of information described in paragraph (B) of this rule.
- (E) In accordance with paragraph (B)(9) of this rule, the agency holding custody of the child shall assure that a psychological examination of the child is conducted and that a written report detailing the substantial and material conclusions and recommendations of the examination are provided to the prospective adoptive parent no later than sixty days after placing the child in the prospective adoptive home except under the following circumstances:
- (1) A psychological examination of the child has been conducted within twelve months prior to the child's placement, and paragraph (E)(2) of this rule does not apply;
- (2) A psychological examination of the child has been conducted within twenty four months prior to the date the child is placed when the foster caregiver seeks to adopt the foster caregiver's foster child.
- (F) The PCSA or PCPA shall not provide any part of a psychological, psychiatric, or mental and emotional disorder examination required by paragraph (B)(9) or (E) of this rule to the prospective adoptive parent other than the substantial and material conclusions.
- (G) 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 supervision of a child's placement in a prospective adoptive home to fail to provide the prospective adoptive parent with the information required by paragraph (B)(8), (B)(9), or (E) of this rule. It is not a violation of confidentiality to provide such information.
- (H) When a custodial agency places the child in a prospective adoptive home with the

assistance of or by contracting with another agency, the custodial agency shall provide the supervising agency with information concerning the child's social history, adjudication(s), other violent acts committed by the child of which the custodial agency is aware, and provide the substantial and material conclusions of a psychiatric, psychological, or mental and emotional disorder examination. The custodial agency shall pay the expenses of preparing the information. If a new examination is required, the custodial agency shall pay the expenses of conducting the examination described in paragraph (E) of this rule.

(I) The supervising agency providing assistance to or contracting with the custodial agency shall provide the custodial agency with written acknowledgment that the supervising agency received the information outlined in paragraph (H) of this rule and has provided that information to the prospective adoptive parent. The custodial agency shall keep the acknowledgment and provide a copy to the supervising agency.

(J) The custodial agency which places a child for adoption with the assistance of or by contracting with a supervising agency shall remain responsible for providing the prospective adoptive parents with information defined in paragraph (H) of this rule unless the custodial agency receives written acknowledgment that the supervising agency has provided the information to the prospective adoptive parent.

(K) The custodial agency shall maintain in the child's case record information indicating:

(1) The date information required by this rule was provided to the prospective adoptive parent; and,

(2) The JFS 01667 "Adoption Information Disclosure" containing the required signatures.

Effective:

R.C. 119.032 review dates:

Certification

Date

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