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SFA



BILL ANALYSIS

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Senate Bill 1212 (as enrolled)
Sponsor: Senator Virgil C. Smith, Jr.
Senate Committee: Families, Mental Health and Human Services
House Committee: Judiciary

PUBLIC ACT 495 of 1998

Date Completed: 1-22-99

CONTENT

The bill amended the Foster Care and Adoption Services Act to require an adoption facilitator to provide a prospective adoptive parent with written copies (other than those portions made confidential by State or Federal law) of certain information about the prospective adoptee. The bill also requires an adoption facilitator to hold a conference with the prospective adoptive parent. The bill will take effect on March 1, 1999.

Provision of Information

The bill requires an adoption facilitator to provide a prospective adoptive parent with certain nonidentifying information if the information is not already provided by a parent or guardian, a child placing agency, the Family Independence Agency (FIA), or the court, as required in Section 27 of the Michigan Adoption Code (described below).

The adoption facilitator also must provide the prospective adoptive parent with the petition or petitions that resulted in each placement of the child, as well as initial and all updated case service plans concerning the child that were compiled during each foster care placement, whether in foster care, adoption, or otherwise.

By the time of the preadoptive or adoptive placement, the adoption facilitator must prepare and provide to the prospective adoptive parent written verification that all of this information (the nonidentifying information, petition or petitions, and case service plans) has been provided to the prospective adoptive parent.

(Under Section 27 of the Michigan Adoption Code (MCL 710.27), a parent or guardian, a child placing agency, the FIA, or the court that places a child must compile and provide to the prospective adoptive parent a written document containing all of the following nonidentifying information that is not made confidential by State or Federal law and that is reasonably obtainable from the child's parents, relatives, or guardian, from any person who has had physical custody of the child for 30 days or more, or from anyone who has provided health, psychological, educational, or other services to the child:

- The child's date, time, and place of birth, including the hospital, city, county, and state.
- An account of the child's health and genetic history.
- An account of the health and genetic history of the child's biological parents and other members of the child's family.
- A description of the child and his or her family of origin.

This information must be supplemented by other nonidentifying background information that the parent or guardian, child placing agency, FIA, or court considers appropriate.)

Conference

Under the bill, by the time of the adoptee's preadoptive placement with the prospective adoptive parent, the

adoption facilitator must hold a conference with the prospective parent and do all of the following during the conference:

- Review and discuss the information provided to the prospective adoptive parent.
- Disclose to the prospective adoptive parent all other information known by or available to the adoption facilitator regarding the adoptee's medical and psychological needs.
- Prepare and provide to the prospective parent a list of the adoptee's medical and psychological needs that are identified and discussed during the conference.
- Prepare written verification for the signatures of the adoption facilitator and the prospective parent that the conference was held as required, and give a copy of this verification to the prospective parent.

MCL 722.956

Legislative Analyst: S. Lowe

FISCAL IMPACT

It appears that the bill will have an indeterminate fiscal impact on State government. The department adoption worker will have to delete any identifying information from petitions and/or foster care case service plans prior to providing them to prospective adoptive parents. This activity will require additional staff time in order to comply with the requirements. However, it is unclear how much staff time will be needed. There appears to be no fiscal impact on local government.

Fiscal Analyst: C. Cole

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.