

Kansas Administrative Regulations

Kansas Department for Children and Families

Article 47.—Foster Care Licensing

30-47-918. Adoption services.

In addition to meeting the requirements of K.A.R. 30-47-914, each licensee who provides adoption services shall ensure that the child-placement agency policies and procedures meet the following additional requirements.

(a) Placement services to adoptive families and children. Each licensee shall develop and implement policies and procedures for the selection of adoptive families for children and for the preparation of each adoptive family and child.

(1) Selection of adoptive family.

(A) If the licensee is responsible for the selection of an adoptive family for a child, the selection shall be based on the adoptive family that can best meet the child's needs and shall meet the requirements of K.A.R. 30-47-912. When the birth parent of the child identifies any preferences about the characteristics of a potential adoptive family, each licensee shall consider those preferences.

(B) If the child's birth parent is making the decision for the selection of an adoptive family for a child, a designated child welfare worker shall counsel the birth parent on the selection process and on the important factors to consider in selecting the adoptive family.

(2) Preparation of adoptive family. When an adoptive family has been selected for the placement of a child for adoption, each licensee shall ensure that a designated child welfare worker prepares the family for the placement through the following procedures:

(A) Providing the family with full disclosure of known information from known resources on the background of the child and the child's family, including social, medical, behavioral, educational, legal, and placement history;

(B) informing the family of what background information is not known;

(C) referring the family to any resources needed to assist the family in understanding the background of the child, including medical history and any legal issues;

(D) discussing with the family the legal status of the child, including any legal risk;

(E) discussing with the family any requirement for the family to obtain a family foster home license;

(F) discussing with the family the financial impact of completing an adoption and any possible financial resources available; and

(G) providing information and counseling to assist and support the family in the family's decision to proceed with the adoption.

(3) Preplacement contacts. Each licensee shall develop and implement policies and procedures for preplacement contacts or visits between the child and the selected adoptive family.

(A) If the child is receiving services from the licensee, preparation for placement shall be provided as specified in K.A.R. 30-47-910(c).

(B) If the child is coming from another child-placement agency, another state, or another country, the licensee shall provide information about the family for the other agency's or entity's use in arranging for the adoption.

(4) Each licensee shall arrange for at least one preplacement contact or visit between the child and the selected adoptive family. When specified in the licensee's policies and procedures, a preplacement contact or visit may be waived for a newborn being placed directly from a hospital with an adoptive family.

(b) Services during placement. Each licensee shall designate a child welfare worker to provide services to the family during the placement.

(1) Supervision. The designated child welfare worker shall supervise each placement from the time a child is placed with an adoptive family until legalization or finalization to assess the following:

(A) The physical and emotional well-being of the child;

(B) successful attachment between the child and the adoptive family;

(C) positive adjustment of all adoptive family members; and

(D) confirmation that adoption-related issues are identified and services are offered as needed to maintain the placement.

(2) Contacts. The designated child welfare worker shall develop a plan with the family for regular contacts, including the following:

(A) The designated child welfare worker shall conduct a face-to-face visit with the entire family in the family home within the first two weeks of placement or, if the adoption occurred in another state, within the first two weeks of the family's return home.

(B) If the adoption occurred in another country, a face-to-face visit shall occur within the first 30 days of the family's return home.

(C) The designated child welfare worker shall conduct at least one face-to-face contact each month in the family home with the adoptive parents and the adopted child.

(D) If the child is from another state or another country, all additional contact requirements of the other state or other country shall be met.

(3) Documentation of contacts. Each licensee shall maintain records that include the following:

(A) Written documentation of all visits and significant contacts; and

(B) at least one postplacement report completed by the designated child welfare worker at the time of legalization or finalization, or more frequently if required by the court or by another country, and shall include information regarding the following:

(i) The physical health and emotional well-being of the child;

(ii) adjustment of each family member and of the adoptive child to the adoption;

(iii) financial changes in the family;

(iv) changes in family composition;

(v) changes in the physical health or emotional well-being of any family member that could affect the family's ability to care for the adoptive child;

(vi) any reports from other sources, including law enforcement, school or a child care provider, if applicable;

(vii) any other adoption issues that have arisen;

(viii) recommendation on the continued placement of the child; and

(ix) recommendation on the legalization or finalization of the adoption.

(c) Disruption. Each licensee shall develop and implement policies and procedures for the children and adoptive families when placements disrupt before the legalization or finalization of the adoption.

(1) If an adoption disruption occurs, the designated child welfare worker who is responsible for the adopted child shall develop a plan for removal of the child from the home and placement of the child in another adoptive home or other placement.

(2) The designated child welfare worker who is responsible for the adopted child shall ensure that services are provided to help the child deal with feelings of loss, grief, and anger and to adjust to the new placement.

(3) Each licensee shall offer services to the adoptive family following a disruption to assess the impact of the adoptive placement and the disruption on each member of the adoptive family, including any feelings of loss, grief, and anger. A designated child welfare worker shall assist the family in making any of the following decisions:

(A) To update the adoptive family assessment and begin the process of considering the family for placement of another adoptive child;

(B) to delay accepting any other adoptive child in the home; or

(C) to close the family's adoption file.

(d) Legalization or finalization. Each licensee shall develop and implement policies and procedures for adoptions that are finalized in Kansas. Each finalization shall be completed in a timely manner and shall meet the requirements of state statutes. The policies and procedures shall ensure that the following procedures are followed:

(1) The adoptive family shall retain an attorney for the legal process, separate from the attorney of the sponsoring child-placement agency.

(2) The child's child-placing agent shall ensure that all documents needed for legalization or finalization and for the application for a new birth certificate for the child are provided to the family's attorney.

(e) Postlegalization or postfinalization services. Each licensee shall develop and implement policies and procedures to ensure that postlegalization or postfinalization services are offered.

(1) Postlegalization or postfinalization services shall be offered to the adoptive family, including the adopted child, for at least six months following legalization or finalization of an adoption.

(2) The types of services to be offered to each family and each adopted child shall be based on needs identified with the family and may be provided by the licensee directly or through referral to other agencies or resources.

(f) Dissolution. Each licensee shall develop and implement policies and procedures for the children and adoptive families whose adoptions are at risk of dissolution after finalization of the adoption. If the licensee provides direct services to assist the family with the decision of whether to dissolve the adoption, the following requirements shall be met:

(1) Each licensee shall ensure that services are offered to each adoptive family and each adopted child to enable the child to remain as a member of the family, to assist the family in making a decision whether to dissolve the adoption, and, when possible, to enable the child to remain in the home. Services may be provided directly by the licensee or through referrals to other agencies or resources.

(2) If the adoptive parent decides to terminate the adoption and relinquish parental rights of the adopted child to the licensee and the licensee accepts the relinquishment, the licensee shall meet the requirements in K.A.R. 30-47-913 for services to parents who want to relinquish parental rights.

(3) If the licensee accepts responsibility for the child, the licensee shall develop a transition plan with the adoptive family for the movement of the child from the home and shall follow the requirements for services to children in K.A.R. 30-47-910.

(g) Adoption search.

(1) Each licensee shall develop and implement policies and procedures for adoption search services that include the following:

(A) A description of the type of information that the licensee will provide to an adopted child or adopted adult, an adoptive family, or the birth family of an adopted child or adopted adult;

(B) confidentiality requirements for the release of written or verbal information; and

(C) referrals to other service, support, or counseling resources as needed by adopted children and adults, adoptive families, and birth families.

(2) If the licensee provides adoption search services, the licensee shall identify and train specific staff members in adoption search services and activities.

(3) Services shall conform to the current statutes concerning the provision of information to adopted children and adopted adults and to adoptive families and to contacts with birth families.

(4) Specific services offered to adopted children and adopted adults, adoptive families, and birth families shall be based on the request of the individual, the availability of information maintained by the child-placement agency, and any assistance needed by the individual to understand the information.

(Authorized by K.S.A. 65-508, 75-3084, and 75-3085; implementing K.S.A. 65-508; effective June 7, 2024.)

***** Authenticated Kansas Administrative Regulation *****