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Procedure Name: Adoption Review Committee
Procedure Number: OP1001
Revision #/Date: (3)1/13/09
Effective Date: 1/20/06

Applicable to: All CBCB Staff and Contract Providers

SUBJECT: Adoption Review Committee

PURPOSE: To provide consultation and assistance to the Adoption Support Coordinator and Adoption Recruiters on any adoptive study in which the assessor and supervisor are commending rejection, or adoption case situations which present challenging issues.

PROCEDURE:

References

GOV203, RQ502, RQ506

Background

In accordance with Florida Administrative Code 65C-16: Each district and community based care provider responsible for providing adoption services for children in the department's custody must establish an Adoption Review Committee.

Committee Members

The committee will consist of the following members: CBCB Director of Operations: Child and Family Services, Program Manager of Child and Family Services, Community Member, Children's Legal Services, DCF Representative and a representative from the assigned Case Management Agency, (Children's Home Society or Devereux) and the Adoption Support Coordinator (Intervention Services, Children's Home Society or Devereux.)

1. Committee Chair: The CBCB Program Manager of Child and Family Services will serve as the committee chair of the Adoption Review Committee.
2. Decision Team Committee: The Decision Team Committee will be comprised of the following:
 - a. Director of Operations: Child and Family Services,
 - b. Department of Children and Families Representative
 - c. Children's Legal Services
 - d. Community Member.

3. Functions of the Committee Chair: Provide consultation to the Care Manager and the Adoption Support Coordinator on any adoptive home study in which the assessor and supervisor are recommending rejection, or adoption case situations which present challenging issues. Requests for committee review will be made in writing and forwarded to the CBCB Program Manager of Child and Family Services.
4. Eligibility Criteria: While the committee is to review any challenging cases, cases with the following issues must be referred to the committee:
 - A. Health. Cases in which it is determined that the adoptive applicant is experiencing a serious or chronic medical condition and such condition predictably compromises or could compromise the applicant's ability to provide the physical, emotional, social and economic support necessary for the child to thrive.
 - B. Abuse history, Cases in which the Abuse hotline clearance reveals findings of abuse, neglect or abandonment which did not result in a disqualifying felony conviction, and in cases in which there were some indicators of abuse and neglect.
 - C. Criminal history, in cases in which the required criminal history checks pursuant to Section 435.045 (1) F.S. reveal that the applicant(s) have been convicted of crimes specified in Section 435.045(1) F.S. their application must be rejected. A referral to the adoption applicant review committee will not be required. The applicant must be advised that he or she cannot be approved. If the criminal history check reveals that the applicant was convicted of a law violation listed in Section 435.045(1) (a) F.S., within the last five years, the applicant cannot be considered for approval, until five years after the violation was committed. These applicants must be referred to the committee.
 1. Cases in which the applicant is a current or former foster parent and the review of the foster parent file reveals that there have been care and supervision concerns or a violation of licensing standards.
 2. With the exception of those applicants convicted of a crime specified in Section 435.045(1)(a), F.S., counselors must seek the assistance of the committee prior to a decision to reject an applicant.
5. Recommendation: The Decision Team Committee will review the adoptive home study and issue a written recommendation to district legal counsel or the appropriate entity within the community based care agency within 30 days of receipt of the request; following input from district legal counsel or the community based care entity. This recommendation will be submitted to the Chief Operating Officer (COO) for review. The COO will have 5 working days to complete the review. Upon completion of the COO review the recommendation will be forwarded to the Chief Executive Officer of Community Based Care of Brevard for final review and decision.
6. Notification: The Chief Executive Officer will provide the applicant with written notification of the decision to approve or reject the application, within 10 working days of the decision. The written notice must include the reason for the rejection, and must advise the applicant of his/her judicial option as described in the Administrative Procedures Act, Chapter 120, F.S.
7. Dispute Resolution: When an adoptive applicant or parent is adversely affected by a decision or action taken by the Department, or by a Community Based Care agency acting for the Department, efforts should be made to settle the dispute at the care manager/supervisor level.

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If this attempt is unsuccessful, the Adoption Review Committee will be convened as outlined in subsection 65C-16.005(9), F.A.C. If this review results in a decision by the District Administrator that supports the department/agency's original decision, the applicant or parent must be told of that decision in writing and advised of their judicial option as described in the Administrative Procedures Act, Section 120.68, F.S. and of their right to a hearing pursuant to Section 120.57, F.S. Adoptive applicants do not have the right to appeal the department's decision based on the selection of an adoptive home for a particular child.

8. Referral Process: The process of referring a case to the Adoptions Review Committee begins with Care Manager and Adoption Support Coordinator, in consult with their immediate supervisor determines the family meets criteria as outlined in the above FAC.

BY DIRECTION OF THE CHIEF EXECUTIVE OFFICER:



DR. PATRICIA NELLIUS-GUTHRIE
Chief Executive Officer
CBC of Brevard, Inc.

APPROVAL DATE: 2-12-09