

CHAPTER 1029

ADOPTIONS — INVESTIGATION AND REPORTING REQUIREMENTS

S.F. 2276

AN ACT relating to adoption investigation and report requirements.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 600.8, subsection 1, Code 2014, is amended to read as follows:

1. a. A preplacement investigation shall be directed to and a report of this investigation shall answer the following:

(1) Whether the home of the prospective adoption petitioner is a suitable one for the placement of a minor person to be adopted.

(2) How the prospective adoption petitioner's emotional maturity, finances, health, relationships, and any other relevant factor may affect the petitioner's ability to accept, care, and provide a minor person to be adopted with an adequate environment as that person matures.

(3) Whether the prospective adoption petitioner has been convicted of a crime under a law of any state or has a record of founded child abuse. The preplacement investigation and report shall include an examination of the criminal and child abuse records of the prospective adoption petitioner including all of the following:

(a) Criminal, child abuse, and sex offender registries maintained by the state.

(b) Child abuse registries maintained by any other state in which the prospective adoption petitioner has resided during the five years prior to the issuance of the preplacement investigation report.

(c) National biometric identification-based criminal records. For the purposes of international adoption preplacement investigations, the national biometric identification-based criminal record check results obtained pursuant to the standards of the United States department of homeland security shall satisfy the requirement of this subparagraph division.

b. A postplacement investigation and a report of this investigation shall:

(1) Consist of no fewer than three face-to-face visits with the minor person to be adopted and the adoption petitioner to be conducted within thirty days, ninety days, and one hundred eighty days following the placement and during completion of the minimum residence period specified in section 600.10.

~~(2)~~ (2) Verify the allegations of the adoption petition and its attachments and of the report of expenditures required under section 600.9.

~~(3)~~ (3) Evaluate the progress of the placement of the minor person to be adopted.

~~(4)~~ (4) Determine whether adoption by the adoption petitioner may be in the best interests of the minor person to be adopted.

(5) Include documentation verifying that any unique needs of the minor person to be adopted are being appropriately met in the placement before the investigator recommends finalization of the adoption.

c. (1) A background information investigation of the medical and social history of the biological parents of the minor person to be adopted and a report of the investigation shall be made by the agency, the person making an independent placement, or an investigator prior to the placement of the minor person to be adopted with any prospective adoption petitioner.

(2) The background information investigation and report shall not disclose the identity of the biological parents of the minor person to be adopted.

(3) The completed report shall be ~~completed and~~ filed with the court prior to the holding of the adoption hearing prescribed in section 600.12.

(4) The report shall be in substantial conformance with the prescribed medical and social history forms designed by the department pursuant to section 600A.4, subsection 2, paragraph "f".

(5) A copy of the background information investigation report shall be furnished to the prospective adoption petitioners within thirty days after the filing of the adoption petition

petitioner prior to placement of the minor person to be adopted with the prospective adoption petitioner.

(6) Any person, including a juvenile court, who has gained relevant background information concerning a minor person subject to an adoption petition shall, upon request, fully cooperate with the conducting of a background information investigation by disclosing any relevant background information, whether contained in sealed records or not.

Sec. 2. Section 600.8, subsection 2, paragraph a, Code 2014, is amended to read as follows:

a. (1) A preplacement investigation and report of the investigation shall be completed and the prospective adoption petitioner approved for a placement by the person making the investigation prior to any agency or independent placement of a minor person in the petitioner's home in anticipation of an ensuing adoption.

(2) A report of a preplacement investigation that has approved a prospective adoption petitioner for a placement shall not authorize placement of a minor person with that petitioner after ~~one year~~ two years from the date of the report's issuance. However, if the prospective adoption petitioner is a relative within the fourth degree of consanguinity who has assumed custody of a minor person to be adopted, a preplacement investigation of this petitioner and a report of the investigation may be completed at a time established by the juvenile court or court or may be waived as provided in subsection 12.

Sec. 3. Section 600.15, Code 2014, is amended to read as follows:

600.15 Foreign and international adoptions.

1. A decree establishing a parent-child relationship by adoption which is issued pursuant to due process of law by a juvenile court or court of any other jurisdiction within or outside the United States shall be recognized in this state.

2. For an adoption based on a decree issued by a foreign jurisdiction within the United States, an investigator shall conduct a postplacement investigation and issue a postplacement report as provided in section 600.8.

3. a. For an adoption based on a decree issued by a jurisdiction outside the United States, an investigator shall conduct a postplacement investigation that consists of a minimum of three face-to-face visits with the minor person and the adoptive parents during the first year after the placement, with the first such visit to be conducted within sixty days of the placement of the minor person in the adoptive home. Additional visits shall be conducted if required by the jurisdiction that issued the decree.

b. The postplacement investigation and report under this subsection shall include documentation that any unique needs of the minor person are being appropriately met through the placement.

Approved March 26, 2014