

Frequently Asked Questions (FAQ): Utah Adoption Act Revisions (House Bill 51 2026)

Purpose

This FAQ provides guidance on the new requirements for private child-placing agencies, healthcare facilities, and practitioners following the 2026 legislative updates ([link to legislation](#)). This is not a legal document; providers should refer to statute.

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General implementation & deadlines

When do these new regulations take effect?

The majority of the provisions in House Bill 51 **take effect on May 6, 2026**.

What happens to cases already "in the pipeline" before May 6, 2026?

For birth parents who were brought to Utah and started receiving financial support before the revisions to the Adoption Act became effective, agencies can continue providing that support under the previous provisions. A list of all such individuals and detailed description of fees must be submitted to the office by **May 6, 2026**. After this deadline, any adoption initiated must comply strictly with the new financial limits outlined in the revised legislation.

When must updated agency policies be submitted?

All agencies must submit their updated policies and procedures reflecting the 2026 revisions to the Office of Licensing by **June 1, 2026**.

What is the deadline to become a nonprofit?

By January 1, 2027, the Office of Licensing will only issue or renew licenses for private child-placing agencies that are registered nonprofit organizations.

Consortium

What is the Utah Child-Placing Adoption Agency Consortium?

It is a new body consisting of one member from each licensed private agency, chaired by the Office of Licensing. The role of the consortium is to establish bylaws, meet quarterly, and oversee financial exception requests.

What is the membership fee and how do we submit it?

Adoption agencies are required to pay the annual consortium membership fee during their license renewal process. For agencies operating on a two-year licensing cycle, the department may collect the total fee for both years at the same time. To submit your payment, visit dlbc.utah.gov and select the option to make a payment. It is important to review the instructions on that page before clicking through to the specific DLBC payment webpage. Once there, locate the Adoption Agency Consortium Membership fee and enter the correct quantity to reflect the \$1,100 total alongside your other license renewal fees.

How do we handle expenses that exceed state limits?

The consortium will establish a Financial Review Process. If an agency needs to exceed the \$8,000 cap for a birth parent, the agency must demonstrate a specific, reasonable need (e.g., documented lost wages) to the consortium for approval.

What are the reporting requirements for 2026?

The consortium must submit a report to the Health and Human Services Interim Committee by

October 1, 2026, covering **2025 data** on:

- Total adoptions completed;
- Out-of-state transports arranged; and
- Detailed descriptions of fees charged.

Financial limits & disclosures

What are the new caps on birth parent expenses?

- **A Total Living Expenses:** Capped at \$8,000 (unless a Consortium exception is granted).
- **Weekly Allowance:** Maximum of \$200 per week for the birth parent and \$75 per week for a “directly affected person”.
- **Duration:** Allowances are limited to 12 weeks during pregnancy and 4 weeks postpartum.

How should payments be distributed?

Whenever possible, payments must be made directly to service providers. Lump-sum payments to birth parents are discouraged.

What are the requirements for mental health therapy?

Agencies or adoptive parents must pay for up to three 50-minute sessions (up to \$800 total) before relinquishment, and an additional three sessions after relinquishment.

What financial interests must be disclosed?

Any financial interest an agency member has in a service provider receiving payments on behalf of a birth parent must be disclosed to:

1. the birth parent;
2. prospective adoptive parents;
3. the Office of Licensing; and
4. the finalizing court.

Website & advertising requirements

What must be added to our agency website?

Agencies must prominently display:

- Instructions on how to file a complaint with the Office of Licensing.
- Notice of any warnings or violations issued to the agency within the last three years.

Are there new rules for advertisements?

Yes. All advertisements must disclose the specific states where the agency is licensed. Furthermore, all promises of financial incentives must be removed from any adoption-related advertising.

Client care & transportation

What if we cannot facilitate a placement due to religious beliefs?

If an agency cannot move forward due to religious beliefs or the "good faith wishes" of the birth mother, the agency must refer the client to another child-placing agency within the Consortium.

What are the rules for out-of-state birth mothers?

- **Minors:** Agencies must stop transporting or arranging transport for birth mothers under 18 years old.
- **Medicaid:** Agencies must verify if the mother is receiving Medicaid in her home state before transport.
- **Return Guarantee:** If she decides not to stay in Utah, the agency must provide return transportation of the same mode and quality, regardless of her decision on the adoption.

Mandatory filing & health care facilities

What forms must be filed with the state?

- **New Birth Parent Form:** A meticulous record for each birth parent served must be submitted to the Office of Licensing. A form will be available on **July 1, 2026** at dlbc.utah.gov.
- **Fee Affidavits:** A copy of the court-filed fee affidavit must be provided to the Office of Licensing within 60 days of the adoption being finalized through our website.

What are the responsibilities of birthing facilities?

Healthcare facilities must create internal policies for on-site adoption services. Staff are required to notify the Office of Licensing if they observe unethical adoption practices or file complaints against an agency representative. Complaints must be submitted to <https://dlbc.utah.gov/concerns-and-incident>