

 Utah Department of <b>Health &amp; Human Services</b> Licensing & Background Checks		<b>Inspection Checklist</b>			This inspection checklist is the tool OL licensors use to ensure consistency for every inspection. <i>(Revised 04/2024)</i>	
Provider Name:		Facility ID:		Phone Number:		<b>Notes</b>
Site Name or Address:				Email Address:		
Approved Capacity:		# of Present Residents\Clients:				
<b>Please review the following items prior to the inspection:</b> (Mark with a check mark if completed and make any necessary notes)				<b>Please review the following items during the inspection:</b> (Mark with a check mark if completed and make any necessary notes)		
	Current backgrounds in DACS				Any active rule variances	
	Current staff roster collected				Introduce yourself and any DHHS staff	
	Any license restrictions or conditions				Staff Interviews	
	Any needed rule variances				Clients Interviews	
<b>Inspection Information:</b>						
- The licensor will email you this inspection checklist after the inspection is completed. <b>This checklist is not an official compliance statement.</b> The licensor will send you an <b>official Inspection Report once this inspection has been approved by management. Only items checked here as noncompliant can be part of your Inspection Report, and the Inspection Report is to be considered the results of this inspection.</b>						
- If the only non compliance items are documentation and/or records, please submit them by the <i>correction required date</i> listed. A licensor may conduct a follow-up inspection to verify compliance and maintenance of any noncompliance.						
<b>Signature Information</b>						
Inspection Type:		Date:		Time Started On-site:		Time Ended On-site:
Number of Non Compliant Items:			Name of Individual Informed of this Inspection:			
Licensor(s) Conducting this Inspection:					OL Staff Observing Inspection:	
The Licensor explained noncompliance items (if any).		Please sign/type individual informed name and date of review: Signing this checklist does not constitute agreement with the statements, only that the inspection was conducted and noncompliances, if any, were explained.				

**General Provisions - Inspection Checklist**

*(Revised 04/2024)*

**C = Compliant**

**NC = Not Compliant**

**NA = Not Assessed during this inspection**

New and Renewal Licensing Procedures	C	NC	NA	Date to be corrected by	Corrected During Inspection	Notes
<b>R380-600-3(1)</b> An applicant or provider may not accept any fee, enter into any agreement to provide a client service, or provide any client service until a license or certificate is approved by the office.						
<b>R380-600-3(2)</b> Each applicant and provider shall comply with any applicable administrative rule, statute, zoning, fire, safety, sanitation, building and licensing laws, regulations, ordinances, and codes of the city and county in that the facility or agency will be or is located.						
<b>R380-600-3(3)</b> An applicant or a provider shall permit the office to have immediate, unrestricted access to: (a) each site subject to licensing or certification; (b) any unaltered on and off-site program or facility client records; and (c) each staff and client.						
<b>R380-600-3(5)</b> An applicant seeking an initial or renewal license or certificate to operate a program or facility shall submit: (c) except as described in Subsection 26B-2-120(12), a background clearance for each covered individual						
<b>R501-14-4(3)(a)</b> The screening agent shall keep their program's roster and employee information current in the online system. (b) The screening agent shall check the roster at least monthly to verify employee information and the employment of employees due for a renewal review. (c) When an employee no longer works for the program, the screening agent shall separate that employee from the program's roster in the online system within five days of employee separation from the program.						
<b>R380-600-3(12)</b> A provider approved by the office to certify their own program or facility sites shall register each certified site using the licensing provider portal.						
<b>R380-600-3(14)</b> The license or certificate holder shall adhere to any individualized parameter on a program or facility license or certificate to promote the health, safety, and welfare of any client. Parameters may include: (a) an age restriction; (b) an admission or placement restriction; or (c) adequate square footage to determine capacity.						
<b>R380-600-3(23)</b> Each license or certificate is not transferable.						
<b>R380-600-3(24)</b> The provider shall post their current license or certificate, except in a foster home, on the premises in a place readily visible and accessible to the public.						
Variances	C	NC	NA	Date to be corrected by	Corrected During Inspection	Notes
<b>R380-600-6(2)</b> The provider may not deviate from any administrative rule before receiving written approval signed by the office director or the director's designee.						
<b>R380-600-6(5)</b> The provider shall sign the approved variance and comply with the terms of the written variance, including any conditions or modifications contained within the approved written variance.						
Inspection and Investigation Process	C	NC	NA	Date to be corrected by	Corrected During Inspection	Notes
<b>R380-600-7(6)</b> The provider shall ensure that the integrity of the office's information gathering process is not compromised by withholding or manipulating information or influencing any specific response of staff or clients.						
<b>R380-600-7(7)</b> The provider shall allow the office to access any program or facility record or staff at an administrative or certified location that is not located at the licensed site.						

<p><b>R380-600-7(16)</b> When a critical incident occurs under the direct responsibility and supervision of the program or facility, the licensee or certificate holder shall:</p> <p>(a) submit a report of the critical incident to the office in format required by the office within one business day of the critical incident occurrence;</p> <p>(b) notify the legal guardian of each involved client within a 24-hour period from the time of the incident;</p> <p>(c) if the critical incident involves any client in the custody of the department or under contract with the department, notify the involved department division immediately; and</p> <p>(d) collect, maintain, and submit original witness statements and supporting documentation, including video footage if available, regarding each critical incident to the office upon request.</p>						
<p><b>Program Policies, Procedures, and Safe Practices</b></p>	C	NC	NA	Date to be corrected by	Corrected During Inspection	Notes
<p><b>R501-1-4(2)</b> The licensee shall develop, implement, and comply with safe practices that:</p> <p>(a) ensure client health and safety;</p> <p>(b) ensure the needs of the client population served are met;</p> <p>(c) ensure that none of the program practices conflict with any administrative rule or statute before implementation; and</p> <p>(d) inform staff of how to manage any unique circumstances regarding the specific site's physical facility, supervision, community safety, and mixing populations.</p>						
<p><b>R501-1-4(3)</b> The licensee shall submit any change to an office approved policy or curriculum to the office for approval before implementing the proposed change.</p>						
<p><b>Residential Programs Additional Safe Practices</b></p>	C	NC	NA	Date to be corrected by	Corrected During Inspection	Notes
<p><b>R501-1-5(1)</b> A licensee that manages, stores, or administers client medications shall develop and ensure compliance with the following medication management safe practices:</p> <p>(a) inform staff and clients of program and client responsibility for medication including storage and administration of medications on-site and, as applicable, when staff and clients are offsite in program related activities;</p> <p>(b) if applicable, inform staff and clients of the medication self-administration process;</p> <p>(c) if storing and administering medications, train staff to administer medication and the process to be followed;</p> <p>(d) how staff record medication dosages according to prescriptions;</p> <p>(e) how staff monitor for and record effects and side effects of medications; and</p> <p>(f) how staff log doses and record and report medication errors.</p>						
<p><b>R501-1-5(2)</b> The licensee shall ensure the care, vaccination, licensure, and maintenance of any animals on-site to include:</p> <p>(a) assessment of pet allergies for any clients interacting with animals in the program;</p> <p>(b) maintenance of required examinations, registrations, and vaccinations; and</p> <p>(c) supervision of clients in the presence of animals.</p>						
<p><b>R501-1-5(3)</b> The licensee shall have separate space for clients showing symptoms of an infectious disease.</p>						
<p><b>R501-1-5(4)</b> The licensee shall ensure that a ratio of one staff to one client during transports is only utilized when the program has conducted a safety assessment that indicates that client and staff safety is reasonably assured.</p>						
<p><b>Program Administrative and Direct Service Requirements</b></p>	C	NC	NA	Date to be corrected by	Corrected During Inspection	Notes

<p><b>R501-1-6(1)</b> The licensee shall clearly identify services to the office, public, potential client, parent, or guardian regarding:</p> <ul style="list-style-type: none"> <li>(a) current and accurate contact information;</li> <li>(b) the complaint reporting and resolution process;</li> <li>(c) a description of each service provided;</li> <li>(d) each program requirement and expectation;</li> <li>(e) eligibility criteria outlining behavior, diagnosis, situation, population, and age that can be safely served, including:</li> <li>(f) an outline of the behaviors and presenting issues that would be reason for discharge or exclusion from the program; and</li> <li>(g) a statement that the program may not take placement of a child whose needs exceed the scope or ability of the program to reasonably manage;</li> <li>(h) each cost, fee, and expense for a service and refund policy; and</li> <li>(i) identification of each non-clinical, extracurricular, or supplemental service offered or referred.</li> </ul>						
<p><b>R501-1-6(2)</b> The licensee shall post the following in conspicuous places where each visitor, staff, and client may view:</p> <ul style="list-style-type: none"> <li>(a) abuse reporting laws as described in Sections 80-2-609 and 26B-6-205;</li> <li>(b) civil rights notice;</li> <li>(c) Americans with Disabilities Act notice;</li> <li>(d) any office notice of agency action;</li> <li>(e) a client rights poster in a residential setting except in a foster home or where prohibited by Settings Final Rule; and</li> <li>(f) department code of conduct poster.</li> </ul>						
<p><b>R501-1-6(3)</b> The licensee shall maintain compliance with or documentation of an exemption from any of the following requirements:</p> <ul style="list-style-type: none"> <li>(a) capacity determinations that include each staff and client on premises and may not exceed the capacity limits placed by local authorities;</li> <li>(b) licensure and registration of any vehicles used to transport clients.</li> </ul>						
<p><b>R501-1-6(5)</b> The licensee shall maintain and make the following available to the department upon request: (d) vehicle insurance</p>						
<p><b>R501-1-6(6)</b> The licensee shall ensure:</p> <ul style="list-style-type: none"> <li>(a) current staff and client lists are available at each licensed site;</li> <li>(b) the organizational and governance structure of the program is available to the department upon request and includes:</li> <li>(i) line of authority and responsibility;</li> <li>(ii) a job description, including each duty and qualification for each job title; and</li> <li>(iii) notification to the office of any program changes as described in Section R380-600-3;</li> <li>(c) the licensee maintains an opioid overdose reversal kit on-site with on duty staff trained in its use if the licensee is serving, or is likely to serve, a client with a substance use disorder.</li> </ul>						
<p><b>R501-1-6(8)</b> A licensee offering school on-site shall:</p> <ul style="list-style-type: none"> <li>(a) maintain the established staff to client ratio with behavioral intervention trained staff in the school setting; (c) ensure each client is taught at their appropriate grade level.</li> </ul>						
<p><b>R501-1-6(9)</b> The licensee shall ensure clinical and medical staff are licensed or certified in good standing and any unlicensed staff are appropriately supervised as described in Title 58 Occupations &amp; Professions</p>						
<p><b>R501-1-6(12)</b> A licensee that provides behavior interventions to people with disabilities shall comply with Rule R539-4, which supersedes any conflicting rule under Title R501, for the disabled populations served.</p>						
<p><b>Residential Program Additional Administration and Direct Services Requirements</b></p>	C	NC	NA	Date to be corrected by	Corrected During Inspection	Notes

<p><b>R501-1-7(1)</b> A residential program licensee shall additionally:</p> <ul style="list-style-type: none"> <li>(a) ensure each staff shift list remains current and available to the office upon request;</li> <li>(b) ensure that each shift documents any illness, injury or critical incident and passes it on to the next shift and administration;</li> <li>(c) ensure at least two on-duty staff are present at all times;</li> <li>(d) ensure access to a medical clinic or a medical professional familiar with the program and population served; and</li> <li>(e) provide a separate space for clients who are showing symptoms of an infectious disease.</li> </ul>						
<p><b>R501-1-7(3)</b> A congregate care program licensee may allow an individual turning 18 to remain in the program if:</p> <ul style="list-style-type: none"> <li>(a) the individual remains in the custody of a state entity or the individual was admitted and continuously resided in the program for at least 30 days before the individual's 18th birthday;</li> <li>(b) the licensee has a documented need for the individual to remain in the program;</li> <li>(c) the licensee maintains responsibility for discharge to an appropriate setting when clinically appropriate and no later than the day an individual reaches 19 years of age;</li> <li>(d) the licensee outlines a plan for the protection of younger clients by supervising and separating 18-year-old individuals from youth who are more than two years younger; and</li> <li>(e) the individual signs a consent document outlining: <ul style="list-style-type: none"> <li>(i) the individual is consenting to remain in the program voluntarily and understands the individual is not required to remain against their will;</li> <li>(ii) that any criminal offenses committed may result in being charged as an adult; and</li> <li>(iii) that if the individual is involved in any critical incidents posing a risk to the health and safety of other program residents they may be discharged from the program.</li> </ul> </li> </ul>						
<p><b>R501-1-7(4)</b> A congregate care program licensee shall ensure weekly confidential communication with family in accordance with Section 26B-2-123 and shall ensure that:</p> <ul style="list-style-type: none"> <li>(a) the frequency or form of the confidential communication requirement is only modified if the program submits a modification request that demonstrates the following to the office: <ul style="list-style-type: none"> <li>(i) the program operates in an area of limited or unreliable phone accessibility or coverage;</li> <li>(ii) there is significant risk of harm or danger to client safety by providing youth with unsupervised telephone access;</li> <li>(iii) the licensee offers an alternative that satisfies the requirement of weekly confidential two-way communication; or</li> <li>(iv) extenuating circumstances exist outside the individual treatment plans that are prohibitive to offering voice to voice communication;</li> </ul> </li> <li>(b) a parent or guardian authorizes in writing an alternate means of confidential communication when voice to voice is unavailable; and</li> <li>(c) the licensee offers voice to voice confidential communication as soon as it can be safely offered.</li> </ul>						
<p><b>R501-1-7(6)</b>(a) A residential program licensee, excluding a residential treatment program, may allow for client independence and responsibility for their own supplies, food, laundry, or transportation by outlining in writing resources and responsibility for the provision of these items.</p> <p>(b) Each residential program licensee shall assist clients on a limited basis if they are temporarily unable to provide the items or services listed in Subsection R501-1-7(6)(a) for themselves.</p>						
<p><b>Program Physical Facilities and Safety</b></p>	<p>C</p>	<p>NC</p>	<p>NA</p>	<p>Date to be corrected by</p>	<p>Corrected During Inspection</p>	<p>Notes</p>

<p><b>R501-1-8(1)</b> The licensee shall ensure:</p> <ul style="list-style-type: none"> <li>(a) the appearance &amp; cleanliness of the building/grounds are maintained &amp; free from health/fire hazards;</li> <li>(b) any appliances, plumbing, electrical, HVAC, and furnishings are maintained in operating order and in a clean and safe condition;</li> <li>(c) fire drills in non-outpatient programs are conducted at least quarterly and documented, including feedback regarding response time and process;</li> <li>(d) a phone that can be used to call 911 is always available on-site when clients are present;</li> <li>(e) bathroom facilities for staff and clients allow for individual privacy and afford reasonable accommodation based on gender identity;</li> <li>(f) each bathroom is properly equipped with toilet paper, paper towels or a dryer, and soap;</li> <li>(g) each bathroom is ventilated by mechanical means or equipped with a window that opens;</li> <li>(h) non-prescription medication, if stored on-site, is stored in original manufacturer's packaging together with the manufacturer's directions and warnings; and</li> <li>(i) prescription medication, if stored on-site, is stored in original pharmacy packaging or individual pharmacy bubble pack together with the pharmacy label, directions, and warnings.</li> </ul>						
<p><b>R501-1-8(2)</b> The licensee shall accommodate a client with physical disabilities as needed or appropriately refer to comparable services.</p>						
<p><b>R501-1-8(3)</b> The licensee shall maintain medication and potentially hazardous items on-site lawfully, responsibly, and with consideration of the safety and risk level of the population served to include locked storage for each medication and hazardous chemical that is not in active use.</p>						
<p><b>R501-1-8(4)</b> The licensee shall maintain a first aid kit that contains at least:</p> <ul style="list-style-type: none"> <li>(a) bandages of different sizes;</li> <li>(b) tweezers;</li> <li>(c) antiseptic; and</li> <li>(d) disposable sterile gloves.</li> </ul>						
<p><b>Residential Program Additional Facilities and Safety Requirements</b></p>	C	NC	NA	Date to be corrected by	Corrected During Inspection	Notes
<p><b>R501-1-9(1)</b> A residential licensee shall ensure:</p> <ul style="list-style-type: none"> <li>(a) designated space is available for records, administrative work, &amp; confidential phone calls for clients;</li> <li>(c) live-in staff have dedicated bedrooms &amp; bathrooms separate from client use;</li> <li>(d) each bedroom designated for a client is comparable to other similarly utilized bedrooms with similar access, location, space, furnishings, and furnishings;</li> <li>(e) clients are not locked in bedrooms;</li> <li>(f) a mirror or safety mirror is secured to each bathroom wall at a convenient height;</li> <li>(g) each bathroom is placed to allow access to each client without disturbing any other client during sleeping hours;</li> <li>(h) each bath or shower allows for individual privacy;</li> <li>(i) each client is supplied with hygiene supplies;</li> <li>(j) each sleeping area has a source of natural light and is ventilated by mechanical means or is equipped with a window that opens;</li> <li>(k) each client has a similar solid type of bed or sleeping equipment to any other client in the program;</li> <li>(l) each client is allowed to decorate &amp; personalize their bedroom, while maintaining respect for other residents and property;</li> <li>(m) there are separate containers for soiled &amp; clean laundry, if the program provides common laundry for towels, bedding or clothing;</li> <li>(n) bedding &amp; towels are laundered weekly &amp; after each client is discharged;</li> <li>(o) equipment and supplies for washing &amp; drying laundry are provided, if the program permits clients to do their own laundry;</li> <li>(p) there is at least 60 sq ft per person in a multiple occupancy bedroom and 80 sq ft in a single occupant bedroom.</li> </ul>						
<p><b>R501-1-9(2)</b> A residential program licensee serving individuals with disabilities shall house no more than two clients in each bedroom.</p>						

<p><b>R501-1-9(3)</b> The licensee utilizing seclusion rooms shall ensure the following:</p> <ul style="list-style-type: none"> <li>(a) seclusion rooms measure a minimum of 75 sq ft and have a minimum ceiling height of 7 ft with no equipment, hardware or furnishings that obstruct staff's view of the client or present a hazard;</li> <li>(b) a seclusion room shall have either natural or mechanical ventilation with break resistant windows and either a break resistant two-way mirror or camera that allows for observation of the entire room;</li> <li>(c) a seclusion room may not have locking capability and may not be located in closets, bathrooms, unfurnished areas or other areas not designated as part of residential living space; and</li> <li>(d) a bedroom may not be utilized as a seclusion room and a seclusion room may not be utilized as a bedroom.</li> </ul>						
<p><b>R501-1-9(4)</b> The licensee shall ensure that dormitory space is only permitted in an emergency homeless shelter or a program serving only adults.</p>						
<p><b>R501-1-9(5)</b> The licensee shall train staff and ensure that the use of any alternate sleeping arrangements other than the client's assigned bedroom is only done on an individualized, short-term basis with ongoing clinical or medical justification that:</p> <ul style="list-style-type: none"> <li>(a) preserves client dignity and confidentiality;</li> <li>(b) is not done as a standard, practice, or policy;</li> <li>(c) is not utilized due to staffing shortages or for staff convenience; and</li> <li>(d) is not used as behavior management or consequence.</li> </ul>						
<p><b>Food Service Requirements</b></p>	<p>C</p>	<p>NC</p>	<p>NA</p>	<p>Date to be corrected by</p>	<p>Corrected During Inspection</p>	<p>Notes</p>
<p><b>R501-1-10(2)</b> A licensee that provides meals shall:</p> <ul style="list-style-type: none"> <li>(a) ensure that meals are not used as incentive or punishment;</li> <li>(b) provide nutritional counseling to staff and clients;</li> <li>(c) designate staff responsible for food service who:</li> <li>(i) maintain a current list of each client with special nutritional needs; and</li> <li>(ii) ensure that each client with special nutritional needs has food storage and a preparation area that is not exposed to any identified allergen or contaminant;</li> <li>(d) except in a day treatment program serving clients for less than ten hours a day, or outpatient programs serving clients for less than six consecutive hours a day, provide a variety of three nutritious meals a day that are: <ul style="list-style-type: none"> <li>(i) served from dietitian or nutritionist approved menus; or</li> <li>(ii) for programs serving individuals experiencing homelessness, serve meals as required by USDA standard homeless settings;</li> </ul> </li> <li>(e) establish and post kitchen rules and privileges in a kitchen according to client needs and safe food handling practices; and</li> <li>(f) provide adequate dining space for clients that is maintained in a clean and safe condition.</li> </ul>						
<p><b>R501-1-10(3)</b> A licensee that allows self-serve meals shall ensure that self-serve kitchen users are supervised, directed, and trained by a staff that has a food handler's permit or is trained by Serv-Safe, USDA, or a comparable program.</p>						
<p><b>R501-1-10(4)</b> A licensee that serves parents and their children may allow a consenting adult client to maintain full responsibility for their, and their child's, special dietary needs, if consent is maintained in writing in the client record.</p>						
<p><b>R501-1-10(5)</b> A licensee that offers meals for clients shall ensure there is documented training confirming staff are trained to and adhere to the following safe practices:</p> <ul style="list-style-type: none"> <li>(a) how to identify and accommodate clients with special dietary needs; and</li> <li>(b) allowances for nutritious snacks to be available during restricted hours if the program restricts access to food and kitchen equipment.</li> </ul>						

<p><b>R501-1-10(6)</b> If meals are prepared by clients, the licensee shall inform staff and clients in writing of the following:</p> <ul style="list-style-type: none"> <li>(a) rules and privileges of kitchen use;</li> <li>(b) menu planning and procedures;</li> <li>(c) sharing self-prepared food;</li> <li>(d) nutrition and sanitation requirements;</li> <li>(e) schedule of responsibilities; and</li> <li>(f) shopping and storage responsibilities.</li> </ul>						
<p><b>Program Client Record Requirements</b></p>	C	NC	NA	Date to be corrected by	Corrected During Inspection	Notes
<p><b>R501-1-11(1)</b> The licensee shall maintain client information to include the following:</p> <ul style="list-style-type: none"> <li>(a) client name, address, email address, phone number, date of birth and identified gender;</li> <li>(b) emergency contact names, including legal guardian where applicable, and at minimum, the emergency contact's physical address, current email address or current phone numbers;</li> <li>(c) a program serving substance use disorder clients shall maintain compliance with an initial and annual client tuberculosis screening results in each client record;</li> <li>(d) any information that could affect health safety or well-being of the client including each medication, allergy, chronic condition or communicable disease;</li> <li>(e) intake screening and assessment;</li> <li>(f) discharge documentation;</li> <li>(g) treatment or service plan;</li> <li>(h) progress notes and services provided with date and signature of staff completing each entry;</li> <li>(i) individualized assessment for restriction of access to on-site items that could be used as weapons, for self-directed violence, or as an intoxicant;</li> <li>(j) any referral arrangements made by the program;</li> <li>(k) client or guardian signed consent or court order of commitment to services in lieu of signed consent for each treatment and non-clinical service;</li> <li>(l) summary of attendance and absences in treatment services;</li> <li>(m) any grievance or complaint made by or against the client and actions taken by the program;</li> <li>(n) each crisis intervention or critical incident report involving the client; and</li> <li>(o) any signed agreement and consent form.</li> </ul>						
<p><b>Program Intake and Discharge Requirements</b></p>	C	NC	NA	Date to be corrected by	Corrected During Inspection	Notes
<p><b>R501-1-12(1)</b> The licensee shall complete an intake screening before accepting a client into the program that includes at least:</p> <ul style="list-style-type: none"> <li>(a) verification that the client meets the eligibility requirements of the program;</li> <li>(b) verification that the client does not meet any of the exclusionary criteria that the program identified in policy as unable to serve;</li> <li>(c) description of presenting needs; and</li> <li>(d) suicide risk screening.</li> </ul>						
<p><b>R501-1-12(2)</b> A licensee serving substance use disorder clients may not admit anyone who is unresponsive or unable to consent to care because the individual is experiencing convulsions, in shock, delirium tremens, in a coma, or unconscious.</p>						
<p><b>R501-1-12(3)</b> A licensee serving incarcerated or court-mandated justice involved clients shall:</p> <ul style="list-style-type: none"> <li>(a) conduct a criminogenic risk assessment;</li> <li>(c) separate high and low criminogenic risk populations.</li> </ul>						



<p><b>R501-1-12(4)</b> The licensee shall ensure that , the client, parent, or guardian signs and receives copies of the following agreements to be maintained as client records:</p> <ul style="list-style-type: none"> <li>(a) determination of eligibility;</li> <li>(b) fee agreement outlining costs of services including program, client, parent, or guardian responsibility for payment; and</li> <li>(c) signed consent for treatment that outlines: <ul style="list-style-type: none"> <li>(i) rules of the program;</li> <li>(ii) expectations of clients, parents, and guardians;</li> <li>(iii) services to be provided;</li> <li>(iv) Medicaid number, insurance information, and identification of any other entities that are billed for the client's services;</li> <li>(v) client rights; and</li> <li>(vi) licensing contact information.</li> </ul> </li> </ul>						
<p><b>R501-1-12(5)</b> The licensee shall ensure that a discharge plan identifies resources available to a client and includes:</p> <ul style="list-style-type: none"> <li>(a) reason for discharge or transfer;</li> <li>(b) aftercare plan;</li> <li>(c) summary of services provided; and</li> <li>(d) progress evaluation.</li> </ul>						
<p><b>Residential Additional Program Intake and Discharge Requirements</b></p>	<p><b>C</b></p>	<p><b>NC</b></p>	<p><b>NA</b></p>	<p><b>Date to be corrected by</b></p>	<p><b>Corrected During Inspection</b></p>	<p><b>Notes</b></p>
<p><b>R501-1-13(1)</b> A residential program licensee shall ensure an intake assessment is completed following an approved intake screening, no later than seven days from the admission date, and that the assessment considers and contains:</p> <ul style="list-style-type: none"> <li>(a) gender identity and individualized assessment for bedroom and bathroom assignments;</li> <li>(b) cultural background;</li> <li>(c) dominant language and mode of communication;</li> <li>(d) family history and dynamics;</li> <li>(e) current and past health and medical history;</li> <li>(f) social, psychological, developmental, vocational, and, as appropriate, educational factors;</li> <li>(g) suicide risk screening; and</li> <li>(h) authorization to serve and obtain emergency care.</li> </ul>						
<p><b>R501-1-13(2)</b> A residential program licensee may not serve youth from out of state without a disruption plan as described in Section 26B-2-124 and, as applicable, Section 80-2-905, Interstate Compact Placement of Children (ICPC).</p>						
<p><b>R501-1-13(3)</b> A congregate care program licensee shall ensure that each congregate care disruption plan complies with the following:</p> <ul style="list-style-type: none"> <li>(a) the program retains jurisdiction and responsibility for the youth while the youth remains in Utah; and</li> <li>(b) the program completes an individualized disruption plan at the time of intake for each out of state client to include: <ul style="list-style-type: none"> <li>(i) who is responsible for the child's return if placement at the facility disrupts;</li> <li>(ii) current emergency contact information to include the name, address, phone and email address of the parent or responsible person;</li> <li>(iii) a signed statement from parent or responsible person outlining the plan for the youth in the event of an unplanned disruption in care; and</li> <li>(iv) a plan for safe transportation either to the state of origin, the responsible person as identified in Subsection R501-1-13(3)(b)(i) or to another licensed congregate care program or higher level of care, as needed.</li> </ul> </li> </ul>						
<p><b>R501-1-13(4)</b> A congregate care program licensee may demonstrate compliance with Subsections R501-1-13(2) and R501-1-13(3) by producing the 100A and 100B forms and disruption plan as required by the ICPC.</p>						
<p><b>R501-1-13(5)</b> A congregate care program licensee shall report private placements to the office as described in Section 26B-2-124 by completing the congregate care out of state placement survey on the office website no later than the fifth business day of each month.</p> <ul style="list-style-type: none"> <li>(b) A congregate care program licensee that does not comply with the disruption plan requirements stated in Section 26B-2-124 shall pay for the cost of care incurred by entities maintaining the youth for purposes of locating, housing, or transporting the youth.</li> </ul>						

Program Clinical Services	C	NC	NA	Date to be corrected by	Corrected During Inspection	Notes
<p><b>R501-1-14(1)</b> A licensee that offers clinical treatment shall:</p> <p>(a) assign a clinical director to ensure that assessment, treatment, and service planning practices are:</p> <p>(i) regularly reviewed and updated;</p> <p>(ii) individualized; and</p> <p>(iii) designed to involve the participation of each client or each client's parent or guardian;</p> <p>(b) ensure each person working directly with a client is informed of the client's individual treatment needs and advised of the best approach to working with that client;</p> <p>(c) ensure client treatment plans are developed and signed by a licensed clinical professional within 30 days of admission;</p> <p>(d) ensure discharge goals are identified in the initial treatment plan and treatment goals are structured around the identified discharge goals and objectives;</p> <p>(e) ensure that each client identified for treatment receives individual treatment at least weekly; and</p> <p>(f) ensure any missing individual weekly treatment is justified, approved, and documented by the clinical director.</p>						
<p><b>R501-1-14(2)(a)</b> A residential program licensee shall ensure that in addition to the required weekly individual therapy, frequency and need for family and group therapy and other clinical services are addressed in the individual's treatment plan.</p> <p>(b) A non-residential program licensee who offers clinical treatment may alter the weekly therapy requirement as designated in the individual's treatment plan.</p>						
<p><b>R501-1-14(4)</b> A licensee who offers group counseling, family counseling, skills development, or other treatment shall offer and document these treatment services as prescribed in the treatment plan.</p>						
<p><b>R501-1-14(5)</b> The licensee shall make any records available to the department for review upon request.</p>						
Program Staffing	C	NC	NA	Date to be corrected by	Corrected During Inspection	Notes
<p><b>R501-1-15(1)</b> The licensee shall ensure adequate staffing to safely supervise the current population, including adding more staff than required by the usual staffing ratio as needed to manage behaviors, dynamics, and individual client treatment and supervision needs.</p>						
<p><b>R501-1-15(2)</b> The licensee shall identify a manager or qualified designee who is immediately available when the program is in operation or there is a qualified and trained substitute when the manager is absent or unavailable.</p>						
<p><b>R501-1-15(3)</b> A licensee that offers clinical services shall employ or consult with licensed professional staff that include an individual who is familiar with the program and the needs of each client.</p>						
<p><b>R501-1-15(4)</b> The licensee shall ensure that before allowing a direct care staff to work unsupervised they have an approved background clearance except as excluded in Section R501-14-17;</p>						
<p><b>R501-1-15(5)</b> A licensee who serves clients with substance use disorder shall ensure each staff is screened for tuberculosis.</p>						
<p><b>R501-1-15(6)</b> A licensee who serves a client with substance use disorder may not offer, entice, refer, or recommend medical cannabis as treatment for substance use disorder.</p>						
<p><b>R501-1-15(7)</b> A licensee who manages, stores, or administers client medication shall identify a medical professional to oversee the medication management, medication oversight, and staff training regarding medication management and administration.</p>						
<p><b>R501-1-15(8)</b> The licensee shall ensure that each person involved with the prescription, administration, or dispensing of controlled substances maintains appropriate medical or pharmacy licenses and DEA registration numbers as described in the 21 CFR Part 1301.</p>						
<p><b>R501-1-15(9)</b> The licensee shall create and maintain personnel information for each staff member, contracted employee, and volunteer.</p>						

<p><b>R501-1-15(10)</b> The licensee shall ensure that personnel information includes:</p> <ul style="list-style-type: none"> <li>(a) any applicable qualification, experience, certification, or license;</li> <li>(b) any approved and current office background clearance, except as excluded in Rule R501-1-14;</li> <li>(c) a provider code of conduct that is signed by the staff member, contracted employee, or volunteer;</li> <li>(d) any pre-service and annual training records with the date completed, topic, and the individual's signed acknowledgment of training completion;</li> <li>(e) any grievances or complaints made by or against the individual and actions taken by the program; &amp;</li> <li>(f) each crisis intervention or critical incident report involving the individual.</li> </ul>						
<p><b>R501-1-15(11)</b> The licensee shall ensure that at least one CPR and First Aid-certified staff member is available when staff and clients are present unless a currently licensed healthcare professional is present.</p>						
<p><b>Personnel Training Requirements</b></p>	C	NC	NA	Date to be corrected by	Corrected During Inspection	Notes
<p><b>R501-1-16(1)</b> The licensee shall ensure that each staff receives pre-serving training on the following topics before being left unsupervised and within 30-days of hire:</p> <ul style="list-style-type: none"> <li>(a) program policies, procedures and safe practices as outlined in Section R501-1-5;</li> <li>(b) program emergency preparedness, response, and recovery plan, including at least: <ul style="list-style-type: none"> <li>(i) emergency procedures to instruct staff how to address incident reporting, continuity of care, transport, relocation, and client health and safety during natural disasters, extreme weather events, fire, utility or structural failures, or other unexpected disruptions to the program service; and</li> <li>(ii) instructions to staff regarding how to report and respond to significant criminal activity and significant medical emergencies;</li> </ul> </li> <li>(c) CPR and First Aid;</li> <li>(d) client eligibility, emphasizing the behaviors and circumstances the program can safely manage;</li> <li>(e) staff involvement and responsibility in the intake, discharge, and unplanned discharge processes;</li> <li>(f) client rights;</li> <li>(g) supervision and ratios;</li> <li>(h) as applicable, medications management, storing, and administration;</li> <li>(i) as applicable, food handling as outlined in Subsection R501-1-10(3);</li> <li>(j) background checks;</li> <li>(k) prevention, signs and symptoms of abuse and neglect, including sexual abuse, and legal reporting requirements;</li> <li>(l) provider code of conduct as outlined in Rule 380-80;</li> <li>(m) non-discrimination policy in accordance with Section 26B-2-109 that includes a prohibition of abuse, discrimination, and harassment based on sex, gender identity, or sexual orientation;</li> <li>(n) staff and client grievance procedures;</li> <li>(o) crisis intervention;</li> <li>(p) appropriate use of restraint and seclusion;</li> <li>(q) de-escalation techniques;</li> <li>(r) appropriate searches;</li> <li>(s) appropriate and inappropriate behaviors of clients;</li> <li>(t) appropriate and inappropriate staff responses to client behaviors; and</li> <li>(u) if applicable, staff response to a client leaving a program without permission.</li> </ul>						

<p><b>R501-1-16(2)</b> The licensee shall ensure each staff completes the following training topics each year, based on the program's license date:</p> <ul style="list-style-type: none"><li>(a) program policies, procedures and safe practices as outlined in Section R501-1-4;</li><li>(b) general provisions and applicable categorial licensing rule;</li><li>(c) client eligibility, as outlined in Subsection R501-1-6(1)(e), emphasizing the behaviors and circumstances the program can safely manage;</li><li>(d) staff involvement and responsibility in the intake, discharge, and unplanned discharge processes;</li><li>(e) provider code of conduct as outlined in Rule R380-80;</li><li>(f) program plan for the prevention or control of infectious and communicable disease to include coordination with and following any guidance of the state or local health authorities, Center for Disease Control, and the department;</li><li>(g) emergency procedures to instruct staff how to address incident reporting, continuity of care, transport, relocation, and client health and safety during natural disasters, extreme weather events, fire, utility or structural failures, or other unexpected disruptions to the program service;</li><li>(h) program rules regarding firearms that does not conflict with constitutional or statutory rights regarding concealed weapons permits as described in Title 53, Chapter 5, Part 7, Concealed Firearms Act;</li><li>(i) smoking rules in accordance with Title 26B, Chapter 7, Part 5, Regulation of Smoking, Tobacco Products, and Nicotine Products;</li><li>(j) how to manage clients who screen with elevated suicide risk levels;</li><li>(k) general incident reporting;</li><li>(l) prevention, signs, and symptoms of abuse and neglect, including sexual abuse, and legal reporting requirements;</li><li>(m) CPR and first aid;</li><li>(n) if storing and administering medications, training required to administer medication and the process to be followed;</li><li>(o) training to identify and address in a residential or congregate care program:<ul style="list-style-type: none"><li>(i) clients who pose a risk of violence;</li><li>(ii) what constitutes contraband, possession of contraband, and how the program ensures restriction of client access to contraband and dangerous weapons or materials;</li><li>(iii) clients who are at risk for suicide;</li><li>(iv) managing clients with mental health concerns; and</li><li>(v) identifying the signs and symptoms of clients presenting under the influence of substances or alcohol;</li></ul></li><li>(p) if the licensee manages funds for client allowances, training to document each expense; and</li><li>(q) appropriate use of any alternate sleeping arrangements in a residential or congregate care program.</li></ul>						
--	--	--	--	--	--	--

**Child Placing Adoption Checklist**

**(Revised 01/2024)**

**C = Compliant  
NC = Not Compliant  
NA = Not Assessed during this inspection**

<b>Legal Requirements</b>	<b>C</b>	<b>NC</b>	<b>NA</b>	<b>Date to be corrected by</b>	<b>Corrected During Inspection</b>	<b>Notes</b>
<p><b>R501-7-3(1)</b> In addition to this rule, all child placing adoption agencies shall comply with R495-876, R501-11, R501-2-1 through R501-2-5, R501-2-8 through R501-2-14, R501-14; R501-22, Title 58, Chapter 60; Title 62A, Chapters 2 and 4a; Section 76-7-203; 78A-6; 78B-6; 78B-13; 78B-15; and all other applicable local, State and Federal laws.</p>						
<p><b>R501-7-3(2)</b> Child placing adoption agencies that do not arrange housing for birth mothers are exempt from R501-2-5, 10, 11, 12, and 22.</p>						
<p><b>R501-7-3(3)</b> A child placing adoption agency shall:</p> <p>(a) be legally responsible for the child following relinquishment of the child to the adoption agency until the adoption is finalized, unless a court of competent jurisdiction or applicable law places legal responsibility with another party, in accordance with Section 78B-6-134;</p> <p>(b) comply with the Indian Child Welfare Act;</p> <p>(c) obtain a child placing foster license and comply with R501-12 if providing foster care;</p> <p>(d) obtain a residential support license and comply with R501-22 if providing residential support services to preexisting parent (s);</p> <p>(e) comply with the Interstate Compact on the Placement of Children, in accordance with Section 62A-4a-701 et seq; and</p> <p>(f) ensure that its employees, contractors, volunteers and agents comply with all laws relating to adoption services.</p>						
<p><b>R501-7-3(4)</b> The Division of Child and Family Services shall additionally comply with R512-40 for recruitment, home study and approval; R512-41 for qualifying and adoptive family and adoptive placement; R512-302 for responsibilities pertaining to out of home caregivers and any other section of 62A-4a and R512 that governs the provision of adoptive services to child welfare clients served by the Division of Child and Family Services.</p> <p>(a) The aforementioned child welfare statute and rule shall supersede this rule when in conflict for child welfare clients served by the Division of Child and Family Services.</p>						
<b>Administrative Ethics and Responsibilities</b>	<b>C</b>	<b>NC</b>	<b>NA</b>	<b>Date to be corrected by</b>	<b>Corrected During Inspection</b>	<b>Notes</b>

**R501-7-3(1)** Child placing adoption agencies shall:

- (a) identify and strictly adhere to accurate accounting practices, including all fee requirements of this rule;
- (b) always act in the best interest of a child;
- (i) best interest determinations are made by considering a number of factors related to the child's circumstances including age and developmental needs and the parent or caregiver's circumstances and capacity to parent the child to adulthood and shall consider the pre-existing parent(s)' wishes when parental rights are voluntarily relinquished;
- (c) provide services and adhere to ethical practices that support and comply with all client rights and responsibilities;
- (d) develop and comply with processes that are free from fraud, duress or undue influence and avoid and mitigate conflicts of interest in order to preserve the protections of clients to include:
  - (i) not give preferential treatment to its board members, employees, volunteers, agents, consultants, independent contractors, donors, or their respective families with regard to child placing decisions;
  - (ii) not accepting or soliciting donations from an adoptive family that is under consideration for placement of a child or pending finalization of an adoption;
- (A) generalized mass solicitation through newsletters or the media shall not constitute a violation under this rule;
- (iii) not coercing or incentivizing pre-existing parent(s) to make a plan of adoption or to relinquish their parental rights;
- (iv) not permitting its employees, volunteers, agents, consultants, or independent contractors to provide adoption services to both the pre-existing parent(s) and the adoptive parent(s) unless all parties are made aware of potential conflicts of interest and sign a voluntary consent;
- (v) inform clients that they are free to select independent attorneys and other non-child placing adoption services;
- (A) client bears the responsibility to select a competent provider and their choice may affect costs incurred;
- (vi) not referring any individual to services in which the agency's board members, volunteers, employees, agents, consultants, independent contractors, or their respective families are engaged, without first disclosing potential conflicts of interest and informing said individuals that they are free to select independent adoption service providers; and
- (vii) require members of the governing body to disclose, in writing, to the chairperson of the governing body and the Office of Licensing, any direct or indirect financial interest in the agency;
- (e) manage and share information while still preserving confidentiality when required. This includes:
  - (i) documenting information shared with potential adoptive parent(s) regarding unknown pre-existing parent(s), Indian Child Welfare Act, and any known information that could potentially disrupt an adoptive placement;
  - (ii) respond to requests for information from clients and former clients within 30 days and document all requests for information or actual sharing of information to/from birth families, adoptees, adoptive families, and others;
  - (iii) provide non-identifying information in client files that can allowably be shared, and shall comply with previous releases and established policies;
  - (iv) the agency shall refer clients to the Mutual-Consent Voluntary Adoption Registry through Department of Health Vital Records if adult adoptees or birth family members want to reunite; and
  - (v) in more urgent circumstances that could have serious implication to any client or prior client, the agency will utilize prior contact and emergency contact information, as well as engage in simple social media and search engine inquiries to locate and communicate with former clients;
  - (vi) agencies may engage in a fee based more extensive service to search if desired;
  - (vii) the agency may share information with third party search providers only if consent has been given by the affected party;
  - (viii) not misrepresent or withhold any facts or allowable adoptive parent(s) or child/pre-existing parent(s) information relating to its services, involved individuals, or the applicable law;
- (f) accept and utilize third party assessments, evaluations, references, home studies or pre-placement evaluations only if received directly from the document's author;
- (g) preserve the confidentiality and content of client files;
- (h) with respect to adoption services an agency shall refer to or utilize only agencies, entities or individuals that are authorized to provide the service by the laws of this state or the jurisdiction in which that agency, entity or individual performs the service;
- (i) provide at least 30 days' prior written notice to the Office of Licensing that the agency is:

<p>(i) provide at least 30 days' prior written notice to the Office of Licensing that the agency is:</p> <ul style="list-style-type: none"> <li>(i) dissolving or ceasing to provide child placing services; or</li> <li>(ii) implementing significant changes in adoption services provided, such as adding or eliminating intercountry adoption.</li> </ul> <p>(j) Provide copies of all documents signed by clients directly to those clients upon request.</p>						
<p><b>R501-7-3(2)</b> In addition to policy and procedure requirements outlined in R501-2, agencies shall develop and adhere to the following adoption-related policies and procedures:</p> <ul style="list-style-type: none"> <li>(a) a process regarding how to transfer a relinquishment to another agency in compliance with 78B-6-124 (7);</li> <li>(b) a process to identify a high needs child as defined in 62A-4a-601, and once identified comply with 62A-4a-609 including disclosure and training to adoptive parent(s);</li> <li>(c) a process for the temporary placement of children awaiting adoptive placement for over 30-days;</li> <li>(d) a process and standards for the evaluation and approval or denial of an adoptive home study or pre-placement evaluation;</li> <li>(e) process and standards for the evaluation and approval or denial of applications from prospective adoptive parent(s);</li> <li>(f) a written plan for contact, file maintenance, and record retrieval in the event that the agency ceases to provide child placement adoption services;</li> <li>(i) this plan may involve a secondary licensed or file retention entity;</li> <li>(g) a process for identifying the pre-existing parent(s)' utilization of alternative payment sources including any public assistance that may defray adoptive parent(s) costs;</li> <li>(h) policy identifying what is allowable child/pre-existing parent(s) information to be shared with potential adoptive parent(s), including the development of releases of information as needed;</li> <li>(i) policy identifying what is allowable adoptive parent(s) information to be shared with pre-existing parent(s) including the development of releases of information as needed;</li> <li>(j) process for refunds to include a process for refunding to adoptive parents monies they paid in excess of actual expenses or disclosed agency fees.; and</li> <li>(k) written policy to be provided to the adoptive parent(s) outlining how the match is determined, its relationship to any fees, and how it is managed by the agency.</li> </ul>						
<p><b>Staffing Requirements</b></p>	C	NC	NA	Date to be corrected by	Corrected During Inspection	Notes
<p><b>R501-7-5(1)</b> A child placing adoption agency shall have at least one social work supervisor responsible for directly supervising all staff and volunteers who provide adoption services to clients.</p>						
<p><b>R501-7-5(2)</b> If an Executive Director is serving as a social work supervisor, they shall not supervise more than four staff and volunteers who provide adoption services to clients.</p>						
<p><b>R501-7-5(3)</b> Each social work supervisor shall be licensed in this state as a mental health therapist, shall comply with the Utah Mental Health Professional Practice Act, and shall have at least one year of full time paid professional experience in a licensed child placing adoption agency.</p>						
<p><b>R501-7-5(4)</b> A social work supervisor may not supervise more than eight staff and volunteers who provide adoption services to clients.</p>						
<p><b>R501-7-5(5)</b> An executive director shall have at least one year of full time paid experience in a licensed child placing adoption agency.</p>						

<p><b>R501-7-5(6)</b> All staff that provide services shall receive a minimum of 20 hours of pre-service training, prior to independently providing direct client services, and 12 hours annual in-service training.  (a) Training content shall include:  (i) agency policy and procedures;  (ii) adoption ethics, laws, and rules;  (iii) the provision of professional and trauma informed adoption practices; and  (iv) any evaluations they will be performing.  (b) Staff will be supervised for adherence to training topics.</p>						
<p><b>Fees and Disclosures</b></p>	C	NC	NA	Date to be corrected by	Corrected During Inspection	Notes
<p><b>R501-7-6(1)</b> All fees, costs and expenses whether actual or estimated must be itemized in accordance with this Rule and Utah Code Ann. 78B-6-140.</p>						
<p><b>R501-7-6(2)</b> A child placing adoption agency may charge adoptive parent(s) agency fees which include administrative and professional services provided on behalf of the adoptive parent(s), including but not limited to:  (a) agency overhead;  (b) personnel;  (c) background screenings for adoptive parent(s) and staff;  (d) training;  (e) insurance;  (f) legal services for the agency;  (g) advertising/recruiting;  (h) post-placement visit;  (i) agency staff support throughout pregnancy, birth, placement and post placement;  (j) home studies, if completed by the agency; and  (k) home study updates, if completed by the agency;  (l) copies of purchased home studies and updates are to be provided to the subjects of these documents upon request.</p>						
<p><b>R501-7-6(3)</b> An agency fee may be charged as a flat fee or be itemized and both must clarify what is included or specifically excluded.</p>						
<p><b>R501-7-6(4)</b> Any fee billed inclusive of an agency fee shall not be billed additionally outside of that agency fee.</p>						



<p><b>R501-7-6(5)</b> An agency may charge and accept payment from the prospective adoptive parent(s) only for reasonable, actual, estimated or outstanding adoption related expenses of the pre-existing parent(s) which are itemized outside of any agency fee. These expenses are limited to the following:</p> <ul style="list-style-type: none"> <li>(a) additional counseling;</li> <li>(b) adoption related legal fees to utilize an independent attorney for the adoption;</li> <li>(c) maternity expenses limited to pregnancy related clothing, pre-natal vitamins, other non-medical pregnancy related needs;</li> <li>(d) medical and hospital expenses limited to pregnancy and childbirth related medical expenses for the mother/child; and</li> <li>(e) temporary living expenses limited to the duration of the pregnancy and confinement of the pre-existing parent(s) or directly affected person and include only: <ul style="list-style-type: none"> <li>(i) food;</li> <li>(ii) transportation including bus passes, gasoline, car maintenance, car payments, and taxi/ride share services;</li> <li>(iii) housing;</li> <li>(iv) utilities and telephone;</li> <li>(v) reasonable and minimal incidentals;</li> <li>(vi) sufficient apparel for the weather and circumstances;</li> <li>(vii) daily living household supplies;</li> <li>(viii) travel between the mother's or father's home and the location where the child will be born or placed;</li> </ul> </li> <li>(f) any other expense not explicitly outlined in this rule shall be reasonably related to the adoption, incurred for a reasonable amount and not paid for the purpose of inducing a birth parent to place the child for adoption. If such fees are charged or paid, the agency shall notify the Office of Licensing.</li> </ul>						
<p><b>R501-7-6(6)</b> An agency may charge an adoptive or potential adoptive parent(s) for either the actual adoption related expenses in regard to the pre-existing parent(s) and directly affected individuals or a flat fee estimate of adoption related expenses. Regardless of the fee structure, fees and expenses must be itemized in accordance with this Rule and Utah Code Ann. 78B-6-140.</p> <ul style="list-style-type: none"> <li>(a) the agency must disclose whether their adoption related expenses charged are actual or estimated and share the agency policy on refunds or re-appropriation prior to charging adoptive parent(s).</li> <li>(b) If the agency charges a flat fee for adoption related expenses, the amount must be stated in the disclosure outlined in (7) of this section and the policies related to refunds, increases or decreases in those fees must be outlined in the disclosure.</li> <li>(c) If the agency charges a fixed amount for adoption related expenses, it must be outlined in the disclosure and capped at that amount. It shall be disclosed whether or not the flat adoption related expenses are or are not refundable in the disclosure.</li> <li>(d) Over collection of adoption related expenses that are not refunded is only permissible with estimated adoption related expenses if: <ul style="list-style-type: none"> <li>(i) any overage will be used to support the adoption related expenses of another adoption of the adoptive parent(s) that paid the expenses originally or refunded to the adoptive parent(s) upon their request;</li> <li>(ii) any over-collected adoption related expenses shall not be used for the benefit of the agency or anyone associated with the licensee or as a payment to a pre-existing parent.</li> </ul> </li> </ul>						

<p><b>R501-7-6(7)</b> A child placing adoption agency shall provide a written disclosure statement of all agency fees, flat fees and adoption related expenses that prospective adoptive parent(s) may incur before the agency accepts any payments, or enters into any agreement with the prospective adoptive parent(s).</p> <p>(a) The written disclosure shall identify and itemize:</p> <p>(i) each fee and the services associated with each fee; and</p> <p>(ii) each adoption-related expense.</p> <p>(b) If providing only estimated expenses provide the average cost for each itemized fee and each adoption-related expense for the preceding two fiscal years, and the maximum amount that may be charged for each fee and adoption related expense.</p> <p>(c) The written disclosure shall identify any fee that is non-refundable.</p> <p>(d) If the agency is charging a flat fee, the disclosure shall contain full acknowledgment by prospective adoptive parents of this fee structure and refund ability of any portion of the flat fee.</p> <p>(e) The written disclosure shall be signed and dated by the prospective adoptive parent(s) and an agency representative and maintained in the adoptive parent(s) file.</p>						
<p><b>R501-7-6(8)</b> An agency shall not charge prospective adoptive parent(s) for any fees or adoption related expenses that the client obtained independently or were paid for by another entity, including any public assistance.</p>						
<p><b>R501-7-6(9)</b> An agency shall not charge adoptive parent(s) for any fee that was not included in the written disclosure without providing written agreement and justification approved by the prospective adoptive parent(s), and either the Office of Licensing or the Court.</p>						
<p><b>R501-7-6(10)</b> An agency shall not directly or indirectly offer, give, or attempt to give money or another thing of value in order to induce or influence pre-existing parent(s) in the adoption process.</p>						
<p><b>R501-7-6(11)</b> The agency shall retain documentation for any adoption related expense exceeding twenty five dollars, which may include receipts, lease agreements, signed fund transfers to pre-existing parent(s) in reasonable amounts in order to cover basic daily needs such as food and household supplies, and any other pertinent documentation.</p>						
<p><b>R501-7-6(12)</b> An agency shall not charge the adoptive parent(s) for the temporary living expenses of any person other than the pre-existing parent(s) or directly affected persons</p>						
<p><b>R501-7-6(13)</b> An agency shall not charge the adoptive parent(s) for any expenses that are post-confinement, with the exception of post-placement counseling if agreed upon.</p>						
<p><b>R501-7-6(14)</b> A birth mother who decides not to place her child shall not be responsible for reimbursing the costs of any goods or services provided to her by the prospective adoptive parent(s) or the child placing adoption agency during her pregnancy unless they are first convicted of fraud.</p>						
<p><b>R501-7-6(15)</b> Child placing adoption agencies that provide or pay for pre-existing parent(s)' transportation to the State of Utah shall also ensure that the pre-existing parent(s)' return transportation to their home state is provided, regardless of whether the pre-existing parent(s) decides to relinquish parental rights.</p>						

<p><b>R501-7-6(16)</b> The agency shall create an affidavit of itemized accounting of the actual fees and adoption related expenses paid by the adoptive parent(s).  (a) The agency shall utilize an affidavit form provided by the Office of Licensing or a form inclusive of the Office's form content.  (b) The affidavit shall be executed as follows:  (i) a copy shall be signed by the adoptive parent(s);  (ii) all adoption related expenses shall be itemized and include a declaration that Section 76-7-203 has not been violated;  (A) itemized expenses in the affidavit shall align with those verified by pre-existing parents in R501-7-11(3)(n);  (iii) the affidavit shall include a declaration of all gifts, property, or other items that have been or will be provided to the pre-existing parent(s), including the source of the gifts, property or other items;  (iv) the affidavit shall include a declaration of the state of the residence of the pre-existing parent(s) and the prospective adoptive parent(s);  (v) the affidavit shall include a declaration of all public funds used for any medical or hospital costs in connection with the pregnancy, delivery of the child, or care of the child; and  (vi) the affidavit shall include the signature of an agency representative with adequate knowledge to verify the contents of the affidavit are accurate and complete.</p>						
<p><b>Services to Pre-existing Parents</b></p>	<p>C</p>	<p>NC</p>	<p>NA</p>	<p>Date to be corrected by</p>	<p>Corrected During Inspection</p>	<p>Notes</p>
<p><b>R501-7-7(2)</b> Child placing adoption agencies other than DCFS shall:  (a) offer pre-existing parent(s) all available allowable adoptive parent(s) information unless waived in full or part by the pre-existing parent(s) as early in the matching process or consent to adopt process as reasonable;  (b) per 78B-6-119, accept voluntary relinquishments only after offering a minimum of three sessions of adoption related counseling to any person who is considering relinquishing a child for adoption prior to accepting the consent or relinquishment. This counseling shall include at a minimum:  (i) parental rights prior to relinquishments;  (ii) alternative options for the child and pre-existing parent(s); and  (iii) adoption issues including grief/loss;  (c) provide complete and accurate information to the pre-existing parent(s) regarding their decision to consent to adopt or relinquish;  (d) meet in-person, via video, or via telephone with the pre-existing parent(s) to review the designated adoption orientation form provided by the Office;  (i) pre-existing parent(s) will be given the opportunity for questions/clarifications before initialing and signing the document;  (ii) a pre-existing parent(s) under the age of 18 shall meet privately with the adoption worker unless they waive the option to meet privately;  (e) ensure the written consent to relinquishment includes language acknowledging that the pre-existing parent(s) was afforded adoption related counseling, and that the relinquishment is completely voluntary, permanent and irrevocable under Utah Law once signed;  (f) a child placing adoption agency shall wait at least 24 hours after the birth of a child before taking the birth mother's relinquishment of parental rights or legal consent to the adoption of her child, in accordance with Section 78B-6-125 or the laws of the state governing the relinquishment.</p>						
<p><b>R501-7-7(3)</b> If an agency arranges housing for pre-existing parents, assure that such housing complies with the following minimum standards:  (a) housing is in compliance with health, fire, zoning, and other applicable laws and regulations;  (b) if the housing meets the definition of Residential Support (R501-22) the agency shall obtain a Residential Support license through the Office of Licensing;  (c) housing is clean, well-maintained and adequately furnished;  (d) birth mothers shall not share bedrooms with other birth mothers;  (e) laundry equipment and supplies shall be available; and  (f) adequate nutritious food, or resources to obtain food, is available.</p>						
<p><b>R501-7-7(7)</b> The agency shall be responsible to encourage and facilitate prenatal and medical care of the birth mother.</p>						

<p><b>R501-7-7(8)</b> A child placing agency shall inform pre-existing parent(s) of their information that will be shared with adoptive parent(s) including their detailed health history and a genetic and social history in accordance with Section 78B-6-143.</p>						
<p><b>R501-7-7(9)</b> A child placing adoption agency shall inform pre-existing parent(s) of Utah's Mutual Consent Voluntary Adoption Registry, Section 78B-6-144.</p>						
<p><b>R501-7-7(10)</b> A child placing adoption agency shall assist the birth and adoptive parent(s) in creating a post-placement contact agreement, including:  (a) whether the birth parent wants to disclose their identity to the adoptee or the adoptive family;  (b) contact about or from the child or parents, directly or indirectly, in the future and how that will occur;  (c) that such agreements are non-binding except in certain public child welfare cases; and  (d) Contact agreements shall be updated only when initiated by the previous clients and maintained in case file records.</p>						
<p><b>Services to Children</b></p>	C	NC	NA	Date to be corrected by	Corrected During Inspection	Notes
<p><b>R501-7-8(1)</b> Assessment.  (a) A needs assessment for the child shall be completed to obtain information and identify characteristics which should be given consideration in selecting and preparing a child for an adoptive family and promote appropriate placement for the child.  (b) The needs of the child will be determined through this assessment and shall evaluate for high needs or special needs as defined in this chapter.  (c) A report(s) regarding all assessment information shall be given to the adoptive parent(s) prior to placement.  (d) If the child is an infant that is not defined as special needs or high need, information shall be obtained from the pre-existing parent(s) and any legal guardian to include all allowable child/pre-existing parent(s) information as defined in this chapter. This information should include:  (i) If the child is older than six months the same information from Section 2 above, shall be obtained from the birth or legal parent;  (ii) additional information shall be obtained using an interdisciplinary approach which may include input from: caseworkers, therapists, pediatricians, teachers, previous caregivers, foster parents, nurses, psychologists, and other consultants.  (e) The assessment shall additionally include:  (i) information pertaining to changes in caregivers including foster care, separation experiences and description of the child's behaviors;  (ii) all evaluations regarding a child's development including; physical, social, emotional, mental health and cognitive;  (iii) the child's educational records, and any special educational needs; (iv) talents and interests; and  (v) if the child is identified as having special needs or is a high needs child as defined in 62A-4a-601, specific training for prospective adoptive parent(s) is statutorily mandated.</p>						
<p><b>R501-7-8(2)</b> Recruitment of adoptive families.  (a) Child placing adoption agencies shall recruit adoptive families that are able to meet the needs of children the agency serves.  (b) If the family states they would be open to a child with special needs or high needs, they will complete training specific to identified needs and in compliance with 62A-4a-609-2.</p>						
<p><b>R501-7-8(3)</b> Matching.  (a) The selection of the adoptive family and the adoptive family's decision to adopt a specific child shall be based on the following:  (i) the child's assessment;  (ii) adoptive family's ability to meet the identified and potential needs of the child;  (iii) the wishes of the pre-existing parent(s) who voluntarily relinquish their rights, the adoptive parent(s), and when applicable, the child, shall be considered.</p>						

<p><b>R501-7-8(4) Placement.</b>  (a) A child placing adoption agency shall attempt to place siblings together when appropriate for the children's needs and pre-existing parent(s) wishes.  (b) A child shall be placed with the adoptive family at the earliest time possible after being freed for placement or adoption.  (c) A child placing adoption agency shall have an individualized written adoptive placement and transition plan that includes the child's current caregivers, the adoptive parent(s), and the child, to facilitate the child's transition into the adoptive family and ensures the family's ability to meet the child's needs.  (i) The transition plan shall consider and include as applicable:  (A) the child's stated preferences;  (B) the child's identified religion;  (C) identification of services the family and child may need based on assessment information;  (D) statement of who is responsible for identifying services and who is responsible for paying for such services;  (E) time frames for transition that consider and accommodate the identified and potential needs of the child in preparing the child for placement; and  (F) developmentally appropriate counseling with the child to address to mitigate transition related emotional trauma.  (d) If a child placing adoption agency other than DCFS assumes custody of a child and the child is not able to be directly placed in an adoptive placement:  (i) the agency may temporarily place the child in a currently home studied adoptive home for up to 30 days; or  (ii) if the child needs temporary care for more than 30 days, the agency shall contract with a licensed foster care program or obtain a license to provide foster care services for children in its custody, in accordance with R501-12.  (e) A private child placing adoption agency shall obtain a copy of the foster home or facility license prior to placing a child, and shall retain the license in the child's case file.  (f) If a child is not placed within 30 days after relinquishment or after determination of availability for adoption by the court, the agency shall document its efforts to screen the child with other child placing agencies and shall list the child with local, regional, and inter-state adoption exchanges.</p>						
<p><b>R501-7-8(5) Post Placement Service.</b>  (a) The child placing agency shall monitor and support each placement until the adoption is final.  (b) An agency social worker shall contact the adoptive family within 2 weeks of the placement to offer support. This does not count towards the pre-finalization visit.  (c) Prior to finalization, a minimum of one in-home supervisory visit with both parents and child present shall be made by an agency social worker:  (i) to assess that the child and family are adjusting and child is receiving necessary care, nurturance, medical care, and services as needed.  (d) The agency shall monitor who has legal and physical responsibility for the child at all times.</p>						
<p><b>R501-7-8(6) Disruption.</b>  (a) If a disruption occurs, a child placing agency shall provide for the care of the child.  (i) The placement shall:  (A) be in a currently home studied adoptive home for no longer than 30 days unless it is the identified subsequent adoptive placement;  (B) be in a licensed or certified foster home governed by Rule R501-12; or  (C) be approved by a judge.</p>						
<p><b>Services to Adoptive Parents</b></p>	<p>C</p>	<p>NC</p>	<p>NA</p>	<p>Date to be corrected by</p>	<p>Corrected During Inspection</p>	<p>Notes</p>

<p><b>R501-7-9(2)</b> A child placing adoption agency other than DCFS shall:</p> <ul style="list-style-type: none"> <li>(a) provide the adoptive parent(s) orientation form to potential adoptive parent(s) who shall sign and initial the form and shall be offered the opportunity to ask clarifying questions prior to match or payment of any fees in excess of \$500.00;</li> <li>(l) adoptive parent(s) will be given the opportunity for questions/clarifications before initialing and signing the document;</li> <li>(b) provide prospective adoptive parent(s) with a written description of their services, fees, policies and procedures;</li> <li>(c) explain the adoption process and the pre-existing parent(s) rights, including the status of any putative father, to the prospective adoptive parent(s);</li> <li>(l) a copy of the Office provided pre-existing parent(s) adoptive orientation form shall be provided to adoptive parent(s) for information purposes with an acknowledgement that they have discussed and received this information;</li> <li>(d) provide training as outlined in 62A-4a-609 in regards to high needs child, as required;</li> <li>(e) per 62A-4a-607 the agency shall inform each prospective adoptive parent(s) that the state has children available for adoption and that adoption from the Division of Child and Family Services incurs no agency fees and adoption assistance may be available when adopting children in the custody of the state;</li> <li>(f) inform adoptive parent(s) that when a child has a disability, the child may be eligible for SSI benefits and/or federal adoption assistance. The Agency shall refer the potential adoptive parent(s) to coordinate with the Division of People with Disabilities for further disability resources and with Division of Child and Family Services to apply for potential federal adoption assistance; and</li> <li>(g) a child placing adoption agency shall inform prospective adoptive parent(s) of Utah's Mutual Consent Voluntary Adoption Registry, Section 78B-6-144.</li> </ul>					
<p><b>R501-7-9(3)</b> A home study completed by an adoption service provider as outlined in 78B-6-128-2(C) for each adoptive family shall include:</p> <ul style="list-style-type: none"> <li>(a) a recommendation to the court regarding the suitability of the prospective adoptive parent(s) or placement of a child;</li> <li>(b) a description of in-person interviews with the prospective adoptive parent(s), prospective adoptive parent(s)', children, and other individuals living in the home;</li> <li>(c) criminal background and child abuse screening of adoptive applicants and other adults living in the home in accordance with R501-14, and Sections 53-10-108(4) and 78B-6-128;</li> <li>(l) agencies must separately obtain the child abuse registry report through the Division of Child and Family Services in Utah and any out of state comparable entities in order to show compliance with 78B-6-128;</li> <li>(d) written descriptions from at least two non-related and one related references regarding the character and suitability of the prospective adoptive parent(s) for parenting an adoptive child;</li> <li>(e) a medical history and a doctor's report, based upon a doctor's physical examination of each applicant, made within two years prior to the date of the application;</li> <li>(f) description of inspections of the home, to determine whether sufficient space and facilities exist to meet the needs of the child and whether basic health and safety standards are maintained; and</li> <li>(g) description of documented income for each adoptive applicant and a written plan for adoptive applicants who work outside the home addressing how they shall provide security and responsible child care to meet individual child needs.</li> </ul>					
<p><b>R501-7-9(4)</b> The adoptive applicants shall be informed, in writing, and within ten business days after the decision is made, as to the acceptance or the reasons for the denial of their home study.</p> <ul style="list-style-type: none"> <li>(a) The agency shall provide applicants with a written copy of the agency's appeal process, which shall include the right to submit a written appeal and request for reconsideration, upon order of the court in accordance with Section 78B-6-128.</li> </ul>					
<p><b>R501-7-9(5)</b> A child placing adoption agency shall select applicants who:</p> <ul style="list-style-type: none"> <li>(a) are able to provide the continuity of a caring relationship;</li> <li>(b) are informed with regard to a child's ethnic, religious, cultural, and racial heritage; and</li> <li>(c) understand the needs of a child at various developmental stages.</li> </ul>					
<p><b>R501-7-9(6)</b> The agency's policies regarding the consideration of religion and marital status in the selection of adoptive families shall be clearly stated in its initial consultation with prospective adoptive parent(s). This disclosure shall also be clearly stated in writing on the adoptive parent(s)' application for services forms.</p>					

<b>R501-7-9(7)</b> The agency shall verify that an applicant's income is sufficient to provide for a child's needs.						
<b>R501-7-9(8)</b> The agency shall not reject an applicant solely based upon the applicant's choice to work outside the home. Applicants who work outside the home shall provide a written plan describing how they shall provide security and responsible child care to meet the individual child's needs.						
<b>R501-7-9(9)</b> Except when authorized by court order pursuant to Section 78B-6-128, a child placing adoption agency shall not place a child in an adoptive home until the home study and each adult's criminal and abuse background screenings have been approved.						
<b>R501-7-9(10)</b> Matching. (a) Disclose all allowable child/pre-existing parent(s) information to the prospective adoptive family. (b) Ensure known special needs are disclosed and referrals and information are provided as necessary to prepare the family to meet the long term needs of the child. (c) A child placing adoption agency shall not make a legal risk placement unless the prospective adoptive parent(s) have first given their written consent, indicating that they have been fully informed of the specific risks involved. (d) Develop the capacities of the parents to meet the ongoing needs of the child according to the child's needs and the transition plan. (e) Matches may only occur once sufficient non-identifying information sharing has occurred to allow for informed decision making by both parties.						
<b>R501-7-9(11)</b> Placement. (a) A child placing adoption agency shall provide continuing support to the child and the adoptive family after placement and before finalization of the adoption, to include: (i) providing or making referrals to services such as counseling, crisis intervention, respite care, and support groups; and (ii) monitoring the child's adjustment and development. (b) The frequency of home visits, office contacts, telephone calls, and other contacts by the child placing adoption agency shall depend on the needs of the child and the adoptive family and may vary depending whether the child is an infant, an older child, or a child with medical or other challenges, and whether the adoptive parent(s) are faced with unanticipated problems. (c) The first contact after placement shall take place within two weeks of placement. (d) A minimum of one face-to-face supervisory home visit after the initial two week contact shall take place before finalization.						
<b>R501-7-9(12)</b> Disruption. (a) The agency may remove the child from the adoptive placement due to circumstances that may impair the child's security in the family or jeopardize the child's physical and emotional development, including but not limited to incompatibility; mental illness; seriously incapacitating illness; the death of one of the adoptive parent(s); the separation or divorce of the adoptive parent(s); the abuse, neglect, or rejection of the child; the lack of attachment to the child; or a request by the adopting parents to remove the child. (b) If a child is removed from an adoptive home by a child placing adoption agency, the adoptive parent(s) shall be entitled to appeal the removal decision. (i) The agency shall provide the adoptive parent(s) written notice of their right to appeal and the procedure for appeal.						
<b>R501-7-9(13)</b> Finalization. (a) A child placing adoption agency shall provide assistance in finalizing the adoption.						
<b>Intercountry Adoptions</b>	<b>C</b>	<b>NC</b>	<b>NA</b>	<b>Date to be corrected by</b>	<b>Corrected During Inspection</b>	<b>Notes</b>
<b>R501-7-10(1)</b> All intercountry adoptions are considered high needs per 62A-4a-601 and require compliance with 62A-4a-609.						

<p><b>R501-7-10(2)</b> In addition to complying with all other rules, laws and statutes regarding adoption, a child placing adoption agency that is a primary provider of inter-country placement services shall document that it has complied with all applicable laws and regulations of the United States and the child's country of origin, and including:</p> <ul style="list-style-type: none"> <li>(a) the agency is Hague accredited by a Department of State approved accrediting body;</li> <li>(b) the child is legally freed for adoption in the country of origin;</li> <li>(c) the agency verifies and maintains documentation and agreements regarding the credentials and qualifications of all associates working in their behalf in foreign countries; and</li> <li>(d) information was provided to the adopting parents about naturalization and US citizenship proceedings.</li> </ul>						
<p><b>R501-7-10(3)</b> A child placing adoption agency that provides intercountry adoption services shall:</p> <ul style="list-style-type: none"> <li>(a) comply with all fee requirements from R501-7-6;</li> <li>(b) establish additional policies and procedures to be provided to the adoptive parent applicant(s) regarding: <ul style="list-style-type: none"> <li>(i) agency and adoptive parent(s) responsibilities regarding intercountry adoption;</li> <li>(ii) post adopt responsibilities;</li> <li>(iii) identification and disclosure of medical risks in intercountry adoption;</li> <li>(iv) service planning; and</li> <li>(v) establish an official and recorded method of fund transfers to avoid the use of direct cash transactions to pay for adoption services in other countries;</li> </ul> </li> <li>(c) additionally include in the written agency fee disclosure required in R501-7-6 the following: <ul style="list-style-type: none"> <li>(i) itemization of all services and total cost of providing adoption in the child's country of origin and disclosure of whether the fees are paid directly or through the agency to include: <ul style="list-style-type: none"> <li>(A) foreign country/legal fees;</li> <li>(B) cost of documents required by the agency and by the foreign government as well as costs of apostille or authentication of these documents;</li> <li>(C) required fees paid to USCIS;</li> <li>(D) estimated costs of travel to the foreign country;</li> <li>(E) translation of documents provided to the foreign adoption officials;</li> <li>(F) costs of child care;</li> <li>(G) parent education costs;</li> <li>(H) adopted child passport;</li> <li>(I) USCIS-required medical exam costs;</li> <li>(J) immunization expenses; and</li> <li>(K) any other miscellaneous fees that may apply;</li> </ul> </li> <li>(ii) itemization of any mandatory payments to child welfare programs in the country of origin including: <ul style="list-style-type: none"> <li>(A) any fixed contributions amounts;</li> <li>(B) intended use of payments; and</li> <li>(C) manner in which the transaction will be recorded and accounted for;</li> </ul> </li> </ul> </li> <li>(d) provide all applicants with written policies governing refunds;</li> <li>(e) notify adoptive applicants within ten business days when information is received that a foreign country is suspending its adoption program;</li> <li>(f) verify and maintain documentation regarding the credentials and qualifications of agents working in their behalf in foreign countries; and</li> <li>(g) in addition to adoptive parent(s) and child file content requirements in R501-7-11, intercountry adoption files shall also include: <ul style="list-style-type: none"> <li>(i) signed agency agreements and/or contracts;</li> <li>(ii) USCIS approval to proceed with a foreign adoption;</li> <li>(iii) copies of adoption documents required by the adoption officials in the foreign country;</li> <li>(iv) copies of all child information provided by the foreign country;</li> <li>(v) post-adoption reports required by the foreign country; and</li> <li>(vi) copy of the adoption finalization from the foreign country.</li> </ul> </li> </ul>						
<p><b>Administrative Documentation</b></p>	<p><b>C</b></p>	<p><b>NC</b></p>	<p><b>NA</b></p>	<p><b>Date to be corrected by</b></p>	<p><b>Corrected During Inspection</b></p>	<p><b>Notes</b></p>



**R501-7-11(2)** Adoptive Parent(s) Files shall cross-reference all related files and shall contain:

- (a) signed and dated application for service including agency disclosure of religion and marital status polices on the application;
- (b) signed and dated adoptive parent(s) adoptive orientation form as required and provided by DHS Office of Licensing;
- (c) proof that the content of the pre-existing parent(s) adoption orientation form was provided to adoptive parent(s);
- (d) proof of compliance with 62A-4a-607 regarding the availability of children in state custody for adoption;
- (e) itemized written fee disclosure statement as described in Section R501-7-6 signed and dated by prospective adoptive parent (s) and agency representative prior to entering any agreements as outlined in;
- (f) proof of identification or documented due diligence to determine identity;
- (g) copies of marriage certificates, divorce papers, custody and visitation orders, proof of US citizenship;
- (h) proof that all allowable child/pre-existing parent(s) information was shared with adoptive parent(s);
- (i) voluntary consent agreement acknowledging conflict of interests per R501-7-4 (A);
- (j) documentation and itemization of all reasonable and actual adoption-related expenses that exceed \$25.00 charged to the adoptive parent(s) as outlined in R501-7-6 to include:
  - (i) written agreement and justification for any expenses charged to the prospective adoptive parent(s) outside the fee disclosure statement;
  - (ii) affidavit signed by adoptive parent(s) and agency representative outlining itemized actual expenditures made on behalf of the pre-existing parent(s) as outlined in fees disclosures section R501-7-6;
  - (k) record of all payments received and disbursements made;
  - (l) home study/pre placement evaluation as outlined in R501-7-9 and 78B-6-128;
  - (i) and including a child abuse registry report obtained from all applicable child welfare agencies per R501-7- 9(3)(c)(i);
  - (m) case notes describing all services provided;
  - (n) physician report for each prospective adoptive parent;
  - (o) background clearances for prospective adoptive parent(s) and all adults over age 18 residing in the home;
  - (p) proof of ability to provide health care for an adopted child;
  - (q) 4 letters of reference;
  - (r) documentation of all requests for information or sharing of information to include:
    - (i) post adopt information exchange with pre-existing parent(s); and
    - (ii) post adopt contact terms with pre-existing parent(s);
  - (s) transition plan for child transition to adoptive placement;
  - (t) written consent to legal risk placement if applicable;
  - (u) documentation of the initial agency contact with the adoptive family within 2 weeks of placement;
  - (v) documentation of one in-home face-to-face supervisory visit prior to finalization post two week visit;
  - (w) original or certified copy of the order of adoption;
  - (x) referral to Mutual Consent Registry;
  - (y) signed declaration of each potential birth father to be filed with the court per 78B-6-110.5; and
  - (z) any other documentation required in order to show compliance with this Rule.

<p><b>R501-7-11(3)</b> Pre-existing parent(s) files shall cross reference all related files and shall contain:</p> <ul style="list-style-type: none"> <li>(a) signed and dated application for service to include declaration of birth mother's husband or any alleged father's relationship to the child in accordance with 78B-6-110.5;</li> <li>(b) proof of identification or documented due diligence to determine identity;</li> <li>(c) signed and dated pre-existing parent(s) adoptive orientation form as required and provided by DHS Office of Licensing;</li> <li>(d) declaration, certificate or written statement of putative registry search and disclosure of search results from each state identified by the birth mother in compliance with 78B-6-110.5 Sections 1 and 2; and any communications with potential birth fathers;</li> <li>(e) documentation of any requests for information or sharing of information;</li> <li>(f) genetic and social history, and health history;</li> <li>(g) case notes describing services provided including pre relinquishment counseling;</li> <li>(h) original or certified copies of relinquishment transfer or decree of termination of birth mother and birth father rights per 78B-6-125 (or the state governing relinquishment);</li> <li>(i) proof that non-identifying information was provided re: the adoptive parent(s);</li> <li>(j) proof of compliance with 78B-6-143 and 78B-6-144;</li> <li>(k) copies of marriage certificates, divorce papers, custody and visitation orders, if any;</li> <li>(l) certified copies of death certificates, if any, of pre-existing parent(s);</li> <li>(m) pre-existing parent(s) written agreements or refusals of: <ul style="list-style-type: none"> <li>(i) waiver of confidentiality;</li> <li>(ii) authorization of release of information;</li> <li>(iii) future third party searcher;</li> <li>(iv) post adopt information exchange with adoptive parent(s);</li> <li>(v) post adopt contact terms;</li> </ul> </li> <li>(n) verification that all itemized goods and services billed to the adoptive parent(s) were actually provided to and signed upon receipt to the pre-existing parent(s);</li> <li>(o) documentation of other alternative payment sources, including public assistance;</li> <li>(p) referral to Mutual Consent Registry; and</li> <li>(q) any other documentation required in order to show compliance with this rule.</li> </ul>						
<p><b>R501-7-11(4)</b> Child Files shall cross reference all related files and shall contain:</p> <ul style="list-style-type: none"> <li>(a) needs assessments, evaluations, family background study of current and historical physical, psychological, genetic and developmental health information as required in R501-7-8 A and B;</li> <li>(b) individualized assessment determining which adoptive family was selected and why as a means to meet all of the identified wishes and needs of all involved;</li> <li>(c) case notes describing all services provided and referred;</li> <li>(d) copies of any DHS licenses for children placed in outside agency foster care;</li> <li>(e) transition plan for child to adoptive placement; and</li> <li>(f) any other documentation required in order to show compliance with this rule.</li> </ul>						

<p><b>R501-7-11(5)</b> File maintenance.</p> <p>(a) In the event that any records required in this Rule are not obtained, the child placing adoption agency shall provide documentation of its efforts to obtain those records.</p> <p>(b) All case files shall be retained for a minimum of 100 years from the date the case is closed.</p> <p>(c) If not continuing to operate and incapable of maintaining their own files for 100 years, the agency shall notify the Office of Licensing and post publicly where the records shall be stored;</p> <p>(i) it is permissible for a closed child placing adoption agency to transfer closed adoptive files to another licensed child placing for maintenance as long as the chain of control is clear and transparent to the Office and prior clients and there is good reason to believe that the files will be maintained according to law.</p> <p>(ii) the agency has a written plan involving a secondary entity for contact and file maintenance in the event that the agency changes ownership or ceases to provide child placement adoption services, and notify the Office of Licensing and each client where the records shall be stored; and</p> <p>(iii) enable record retrieval by individuals with a right to access them.</p> <p>(d) All adoption records shall be confidential and shall be maintained in a secure location when not in active use;</p> <p>(i) adoption records shall be accessible only by authorized agency employees or agents;</p> <p>(ii) no information shall be shared with any person w/out the appropriate consent forms, except as required by law.</p> <p>(e) Records regarding the adoptive parents, with the exception of reference letters, are not sealed and information in adoption files can be provided to adoptive parent(s) upon request.</p> <p>(f) A child placing adoption agency shall maintain and provide accurate annual statistics describing the number of applications received the number of children, pre-existing parent(s), and adoptive parent(s) served, and the number of adoptions and disruptions, and the number of children in agency custody.</p>						
--	--	--	--	--	--	--