



Prospective Adoptive Parent Bill of Rights

Competent Providers: Prospective adoptive parents have the right to an adoption service provider with appropriate high-quality adoption services. Prospective adoptive parents have the right to receive a complete list of qualifications of all providers of adoption-related services. Qualifications include both adoption-related education and training.

Ethical Program: Prospective adoptive parents have the right to an ethical and economical adoption program. Prospective adoptive parents have the right to expect honest and complete program information, full fee disclosure, and fee amounts proportional to the complexity of the services provided. Prospective adoptive parents have the right to expect that all actions and payments by parties to the adoption process are legal and ethical in the United States and any other jurisdiction in which the payment or action is required.

Respect and Nondiscrimination: Prospective adoptive parents have the right to considerate, respectful treatment and communication from all members of the adoption system at all times and under all circumstances. An environment of mutual respect is essential to maintain quality adoption services.

Adoption Service Disclosure: Prospective adoptive parents have the right to receive accurate and clear information about their adoption plans, professional services, adoption options, risks and benefits, and cost implications to make an informed choice of services. Prospective adoptive parents also have a right to know how to reach adoptive service provider personnel and other necessary in-country service providers during and after business hours. Prospective adoptive parents have the right to receive information concerning the process of acceptance and refusal of a referred child or proposed match as well as the effect of refusing a referral or match prior to signing a contract for services. In the event that the adoption service provider challenges the competence of the prospective adoptive parent after a homestudy has been approved, a detailed, written statement regarding the challenge will be referred to the homestudy evaluator and a copy will be given to the clients. Prospective adoptive parents have the right to be free from threats of removing referrals during a challenge. They have the right to be treated in a professional manner throughout the challenge process. In domestic adoption placements, prospective adoptive parents have the right to clearly stated financial risks in case of denial of Medicaid or insurance for the placing mother's medicals bills. They have the right to know at the time of contract signing if delays or denial of finalization are tied to payment of after-the-fact denials of medical coverage.

Comprehensive Adoption Preparation: Prospective adoptive parents have the right to comprehensive pre-adoption education. Adoptive families need to understand the psychological, developmental, behavioral, emotional and medical challenges that adopted children may experience. This information is integral for being to make a fully informed decision about adoption, developing appropriate expectations, recognizing issues and finding appropriate resources to address the needs of the adopted child.

Broad-Based Consultations: Prospective adoptive parents have the right to consult adoption specialists, physicians, attorneys, adoption advocates, consumer advocates and others to help them better understand the process and their options. Prospective adoptive parents also have the right, without fear of retribution or retaliatory actions from the adoption service provider, to discuss their adoption plans and process with family, friends, consumer advocates, internet support groups, adoption advocates, physicians, attorneys, and governmental institutions through any communicative means as long as such disclosure does not violate the law or the privacy rights of a referred child.

Confidentiality of Information: Prospective adoptive parents have the right to communicate with adoption service providers in confidence and to have the confidentiality of their individually identifiable information protected. Information should not be transferred, sold or otherwise utilized without express written consent of the prospective adoptive parents. Prospective adoptive parents also have the right to review and copy their own records, request amendments, and transfer their records and information to other adoption service providers and governmental institutions as necessary to efficiently complete the adoption process as allowed by all jurisdictions involved. In the case of termination of the adoption service provider contract, the adoption service provider shall agree to return or destroy the confidential information and all copies, if so requested by the prospective adoptive parents unless prohibited by state law.

Fair appeal and grievance process: Prospective adoptive parents have the right to a fair and efficient process for resolving differences with their adoption service providers and the institutions that serve them, including a rigorous system of internal review and an independent system of external review. Prospective adoptive parents have the right to receive information prior to entering the service agreement/contract about the methods they can use to submit complaints or grievances regarding provision of services to their adoption service provider, the provider's regulatory board, and any professional association. Prospective adoptive parents also have the right to be provided information about the procedures they can use to appeal decisions made through the adoption service provider's internal grievance process. Prospective adoptive parents have a right to a fair and impartial external appeal process.

Provider Accountability: Prospective adoptive parents have the right to expect that adoption service providers may be held accountable and liable to prospective adoptive parents for any injury caused intentionally or through negligence or gross incompetence on the part of the adoption service provider and any of its subcontractors, associates and agents.

Complete Child Information: Prospective adoptive parents have the right to full and accurate information regarding the health, social and familial history of any child referred to them to adopt.

Legally Available Children: Prospective Adoptive Parents have the right to expect that the referred child was not made available for adoption through coercion, fraud, kidnapping, trafficking or other unethical practices from the family of origin or any third party to the adoption.

Lawful Process: Prospective adoptive parents have the right to expect that the process of adoption is in conformance with all applicable local, state, federal and international laws, including those of the child's native jurisdiction. Respect for the family of origin and the laws of all involved jurisdictions are necessary for the integrity of adoption.

Adopted and Approved by PEAR Board of Directors, 6-30-09