

110TH CONGRESS
1ST SESSION

S. 2395

To establish an adoption process improvement pilot program.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 16, 2007

Mrs. CLINTON (for herself and Mr. ROCKEFELLER) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To establish an adoption process improvement pilot program.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Adoption Improvement
5 Act of 2007”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) Despite the dramatic increase in the num-
9 ber of adoptions out of foster care since the enact-
10 ment of the Adoption and Safe Families Act of 1997
11 (Public Law 105–89; 111 Stat. 2115), there are still

1 114,000 children in foster care with the goal of
2 adoption. Of these, only 13 percent are currently liv-
3 ing in a preadoptive home. At the same time, in a
4 given year, 240,000 people in the United States will
5 call for information about adopting a child from fos-
6 ter care. Ultimately, however, only a very small frac-
7 tion of prospective parents interested in adopting
8 children in foster care will end up doing so. As a re-
9 sult, thousands of needy children will remain in fos-
10 ter care and thousands of prospective parents will
11 remain childless.

12 (2) According to a recent study conducted by
13 Harvard University and the Urban Institute in col-
14 laboration with the Evan B. Donaldson Adoption In-
15 stitute, 78 percent of adults who call for information
16 about becoming adoptive parents will not fill out an
17 application or attend an orientation meeting. Only 6
18 percent of those who call for information actually
19 complete the adoption home study, a requirement for
20 all prospective parents.

21 (3) Research shows that prospective adoptive
22 parents often face a number of barriers that discour-
23 age them from adopting children out of foster care,
24 including difficulty in accessing the child welfare
25 agency and unpleasant experiences during critical

1 initial contacts with the child welfare agency, as well
2 as ongoing frustration with the agency or aspects of
3 the process. The 2 primary ways people learn about
4 adoption from foster care are the media and word of
5 mouth. Negative experiences with the adoption proc-
6 ess have resounding effects as 1 parent's frustration
7 is expressed to friends, families, and acquaintances.

8 **SEC. 3. CHILD WELFARE AGENCY DEFINED.**

9 In this Act, the term "child welfare agency" means
10 an entity of a State, regional or local area, or Indian tribe,
11 that has primary responsibility in such a State, regional
12 or local area, or Indian tribe for the facilitation of adop-
13 tions from the child welfare system.

14 **SEC. 4. GRANT PROGRAM AUTHORIZED.**

15 The Secretary of Health and Human Services (re-
16 ferred to in this Act as the "Secretary") shall carry out,
17 in accordance with the provisions of this Act, a pilot pro-
18 gram of making not less than 10 grants to child welfare
19 agencies that is designed to effect long-range improve-
20 ments in the adoption process by increasing prospective
21 adoptive parent access to adoption information and
22 strengthening such agencies' responsiveness to prospective
23 adoptive parents.

1 **SEC. 5. APPLICATION.**

2 A child welfare agency that desires to receive a grant
3 under this Act shall submit an application at such time,
4 in such manner, and accompanied by such information as
5 the Secretary may require.

6 **SEC. 6. SELECTION OF GRANT RECIPIENTS.**

7 (a) IN GENERAL.—In awarding grants under this
8 Act, the Secretary shall—

9 (1) select grant recipients on the basis of cri-
10 teria included in regulations promulgated by the
11 Secretary; and

12 (2) take into consideration—

13 (A) the quality of the application;

14 (B) the demonstrated commitment of the
15 applicant to achieving the goals of the pilot pro-
16 gram carried out under this Act; and

17 (C) the geographic diversity of the appli-
18 cant.

19 (b) CRITERIA.—In establishing criteria under sub-
20 section (a)(1), the Secretary shall include the requirement
21 that for a child welfare agency to be eligible to receive
22 a grant under this Act, such agency shall comply with each
23 of the following:

24 (1) The child welfare agency includes the active
25 involvement of independent, legitimate, marketing
26 and research firms in the design and implementation

1 of the program that will be funded with a grant
2 under this Act, in order to incorporate business and
3 consumer product marketing techniques in the re-
4 cruitment, training, and retention of adoptive par-
5 ents. The involvement of academic institutions or
6 nonprofit research institutions in the process and
7 follow-up design may also be included.

8 (2) The child welfare agency intends to improve
9 the first contact between prospective adoptive par-
10 ents and the agency through the following:

11 (A) The establishment of a specialized
12 adoption hotline for tracking incoming calls to
13 better understand the adoptive parent attrition
14 rate.

15 (B) The hiring of employees with a back-
16 ground in counseling and providing specialized
17 adoption training so such employees answer
18 callers' requests efficiently. Training shall em-
19 phasize the importance of customer service in
20 addition to traditional counseling skills, address
21 the particular needs of workers and supervisors,
22 and stress the importance of reducing staff
23 turnover.

24 (C) The establishment of a process to so-
25 licit and incorporate feedback from all prospec-

1 tive parents, including those who exit the proc-
2 ess early on, in designing and improving the
3 adoption process.

4 (3) The child welfare agency—

5 (A) will promote recruitment at the start
6 of the process by providing prospective parents
7 with clear, written guidelines about qualifica-
8 tions and grounds for being screened out; and

9 (B) will ensure that all staff are trained in
10 skills needed to engage a prospective parent in
11 the adoption process and, when possible, will
12 separate the recruitment and screening proc-
13 esses.

14 (4) The child welfare agency coordinates all
15 adoption sources to afford prospective parents imme-
16 diate access to all children available for adoption.

17 (5) The child welfare agency offers an explicit
18 explanation of the adoption process for all prospec-
19 tive families that includes the roles that various
20 workers play, relationships among the different
21 agencies, and the information necessary to navigate
22 through the process. This information shall include
23 the reasoning behind standard adoption procedures,
24 such as home studies, criminal background checks,
25 and psychological and health evaluations.

1 (6) The child welfare agency shall provide clear
2 information about the matching process, including
3 expected timeline, to prospective parents.

4 (7) The child welfare agency shall provide a
5 clear overview of the adoption process for all pro-
6 spective families, including—

7 (A) the rewards and challenges of the proc-
8 ess;

9 (B) the availability of and the process of
10 accessing adoption assistance;

11 (C) the legal process of adoption; and

12 (D) the availability of post-permanency
13 services.

14 (8) The child welfare agency shall make every
15 effort to involve successful adoptive parents in as-
16 pects of the adoption process, including designing re-
17 cruitment strategies, training, and matching.

18 (9) The child welfare agency shall establish an
19 adoption advisory committee for strengthening pro-
20 cedures for matching waiting children with adoptive
21 parents. The committee shall be composed of adop-
22 tion professionals, successful adoptive parents, and
23 others with expertise in assessing a child's adoption
24 needs for the purpose of improving the matching
25 process.

1 (10) The child welfare agency shall develop a
2 mentoring system linking prospective and established
3 adoptive parents.

4 (11) The child welfare agency agrees to comply
5 with the evaluation procedures set forth by the agen-
6 cies and research entity described in section 8.

7 **SEC. 7. USE OF FUNDS.**

8 A child welfare agency that receives a grant under
9 this Act shall use the grant funds only for activities that—

10 (1) decrease the adoptive parent attrition rate,
11 as described in section 6; or

12 (2) build upon existing practices that have dem-
13 onstrated effectiveness in improving the adoption
14 process.

15 **SEC. 8. STUDY.**

16 (a) IN GENERAL.—In order to provide rigorous re-
17 search utilizing appropriate, scientifically-based research
18 standards, the Secretary shall carry out, through grant or
19 contract, research into the successes and challenges of the
20 programs established through the grants authorized in
21 this Act. Such research shall—

22 (1) employ a standardized data collection tool
23 in order to maximize the synthesis of data across
24 disparate programs;

1 (2) assess the success with which participating
2 agencies implement the program components out-
3 lined in section 6(b);

4 (3) assess the impact, if any, of each program
5 on—

6 (A) the retention and attrition of prospec-
7 tive adoptive parents throughout the adoption
8 process;

9 (B) the professionalization of child welfare
10 professionals responding to adoption inquiries;

11 (C) the number of completed adoptions
12 from foster care; and

13 (D) the maintenance of completed adop-
14 tions, including the impact, if any, of the pro-
15 gram on families' use of post-adoption services;

16 (4) synthesize the successes and challenges of
17 each participating child welfare agency and make
18 recommendations for an overall model of best prac-
19 tice; and

20 (5) offer recommendations regarding improve-
21 ments to the grant program.

22 (b) USE OF EXPERT ENTITY.—The Secretary shall
23 carry out the research described in this section through
24 an entity, including a Federal agency, that has expertise
25 in carrying out research studies relating to adoption, fos-

1 ter care, and child welfare issues, such as child welfare
2 service provision and the adoption of children from foster
3 care.

4 (c) CONSULTATION.—In conducting the research de-
5 scribed in this section, the expert entity described in sub-
6 section (b) shall consult with—

7 (1) researchers who are experts in studying
8 child welfare services, particularly those focusing on
9 best practices regarding the adoption of children
10 from foster care;

11 (2) child welfare administrators and staff re-
12 sponsible for facilitating the adoption of children
13 from foster care;

14 (3) representatives from national child welfare
15 organizations promoting the adoption of children
16 from foster care; and

17 (4) parents who have adopted children from
18 foster care.

19 (d) REPORT TO CONGRESS.—Not later than 2 years
20 after the dissemination of funds under this Act, the expert
21 entity described in subsection (b) shall submit a report
22 to the Secretary containing the results of the research de-
23 scribed in this section. The report shall also—

24 (1) be submitted to the Committee on Edu-
25 cation and Labor of the House of Representatives

1 and the Committee on Health, Education, Labor,
2 and Pensions of the Senate; and

3 (2) be made publicly available.

4 **SEC. 9. NATIONWIDE REVIEW.**

5 The Secretary shall include in the national annual re-
6 view of child welfare agencies of the Secretary an examina-
7 tion of each State's progress regarding accessibility and
8 responsiveness of child welfare agencies to prospective
9 adoptive parents.

10 **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

11 There are authorized to be appropriated to carry out
12 this Act \$50,000,000.

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