

 <b>VERMONT</b> DEPARTMENT FOR CHILDREN AND FAMILIES Family Services Policy Manual		<h1>192</h1>
Chapter:	Adoption and Guardianship Services	
Subject:	Disclosure of Information Before Adoption Finalization	Page 1 of 2
Approved:	Cynthia K. Walcott, Deputy Commissioner	Effective: 6/6/2016

## Purpose

To provide guidance for division and Project Family staff about the appropriate release of information to adopting parents about the child’s and his or her family’s history, which is consistent with the various laws, regulations and policies governing release of otherwise confidential information.

## Related Policies

Family Services [Policy 94](#): Resource Family Care

Family Services [Policy 157](#): Records and Information Sharing

Family Services [Policy 194](#): Release of Information by the Adoption Registry

## Definitions

**Project Family:** A partnership between the Vermont Department for Children and Families (DCF) and Lund to find and support adoptive parents for Vermont children.

## Policy

To maximize the success of an adoption, and to provide continuity for the child’s perception of self, it is necessary for adoptive families to have as much information as possible about the child’s own history and relevant history concerning each of the child’s parents.

Vermont’s Adoption Act (15A V.S.A. [§2-105](#)) specifies that finalizing an adoption, the agency placing the child will provide all of the non-identifying information that is reasonably available about (1) the child’s social and medical history and (2) the social and medical history for the child’s parents and extended family.

Because the identity of the child and parents is known to foster parents adopting a child in DCF custody, it is not necessary to redact identifying information from documents given to adoptive parents.

There are three federal laws or regulations that prohibit the division and its partners from sharing certain information which may be included in the child and family record. These laws and regulations limit what can be released under 15A V.S.A. [§2-105](#):

- The Health Insurance Portability and Accountability Act of 1996 (HIPAA; [Public](#)

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- [Law 104–191](#)) – protects health information;
- Confidentiality of Alcohol and Drug Abuse Patient Records ([42 CFR Part 2](#)) – protects substance abuse treatment records; and
- Privacy Act of 1974 ([5 U.S.C. § 552a](#)) – protects Social Security numbers.

**Foster and Adoptive Parents Right to Review Child’s Case Record**

As stated in Family Services [Policy 94](#): Resource Family Care, foster parents have the opportunity to review the case record for the child in their care after signing a statement of confidentiality. Adoptive parents who are not foster parents may also review the record for a child in their care. During that review, they may make notes but not make photocopies.

At least two weeks before the finalization of an adoption, the Project Family Permanency Worker will remind the adopting parents that they can and should review the child’s record.

**Providing Photocopies of Documents to Adopting Parents**

Before the adoption is finalized, Project Family staff will provide to the adopting family copies of the following documents from the child’s case record:

- All court-related documents pertaining to the child;
- The child’s placement history;
- All case plans for the child;
- All information related to the child’s health (including mental health) and educational history;
- Family Time Coaching notes;
- Family Finding materials; and
- The child’s birth certificate.

The adopting parents will be asked to sign and date the [FS-410: Disclosure of Child’s Social and Health History Before Adoption](#) to confirm the following:

- They did or did not review the entire case record;
- They did receive copies of available records.