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**To:** Senate Human Services  
**From:** Christopher Dodson, Executive Director  
**Subject:** House Bill 1534 - waiver of certain adoption requirements for licensed foster care provider  
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The North Dakota Catholic Conference opposes House Bill 1534.

The processes for adoption home approval and foster care home approval include some of the same steps. They are, however, different processes, and those processes are shaped with different goals and purposes in mind. Equating the processes jeopardizes the overriding goal of achieving what is in the best interests of the child.

Sue Grundysen, the program director for adoption services at Village Family Services, has submitted testimony explaining the differences and the problems with this bill. When I read it, I thought I could not explain it better, and would merely refer the committee to her testimony.

Then I read the submitted testimony of Jean Nasers, the interim director for Christian Adoption Services, and thought the same thing. Then I reviewed the notes of Kara Eastlund, the director of the Adults Adopting Special Kids (AASK) program and Catholic Charities North Dakota. AASK works to place children in foster care into permanent homes. Although it discussed the original bill, it also does a great job of explaining the problems with House Bill 1534. (Those notes are attached to my testimony.)

The three adoption agencies that facilitate almost all adoptions in North Dakota oppose this bill. I cannot explain the reasons as well as they do. The best I can do is offer an analogy.

There comes a point with every family where the parents have to leave for a few days and not take the children. They may decide that the kids can stay at Aunt Sally's and Uncle Bob's for the weekend. They trust them to watch the kids for a weekend and Aunt Sally and Uncle Bob have the parents' phone numbers if anything goes wrong.

This situation is very different than when the parents are meeting with their lawyer and deciding who should raise their children if both of them die. An entirely different set of considerations go into making that decision, compared to deciding about a weekend stay. Uncle Sally and Uncle Bob might be great for a short visit, but they may not be the right choice for permanently becoming parents.

We urge a **Do Pass** recommendation on House Bill 1534.

## HB 1534

The largest (and most important difference) between the foster care and adoption home assessment is the lens that is utilized to assess two different type of placements (temporary foster care placement and a long term adoptive placement).

While there may be similarities in topics of conversation, an adoption professional must assess an applicant's ability to not only meet a child's needs temporarily, but ensure that the developmental, emotional, physical, spiritual, educational, and financial needs of a child will be met for a lifetime without the supports of the child welfare system.

In a recent article published by the Child Welfare Information Gateway (a service of the Children's Bureau), contributing factors to discontinuity in an adoption can include caregiver(s) unrealistic expectations of an adoption and a diminished commitment to an adopted child especially when difficult behavioral circumstances arise.\* When a foster parent intends to provide temporary care for a foster child, these factors are understandably not at the forefront of assessment due to the temporary nature of a foster parent's role. However, with an adoption trained lens, these factors are discussed at length. Additionally, there are vast differences between the two processes, some outlined below:

### Professional Trainings/Specialization

- Adoption workers receive specialized training to understand the unique complexities of children in foster care and ensuring they are equipped to prepare adoptive families. In addition to several North Dakota and agency specific trainings, they also receive the following adoption specific trainings:
  - o 30 hour National Adoption Competency Mental Health Training Initiative (NTI)
  - o 14 hour CORE Teen curriculum (through Spaulding for Children)
- The adoption agency is accredited through the Council on Accreditation (COA) in adoption standards. COA is national organization that sets the "gold standard" for how to provide the best services based on researched methods of practice.

### Assessing for Temporary Care vs a Lifetime Commitment

- Supports
  - o Foster care focuses on assessing a family's ability to provide for a child on a temporary basis WITH day to day supports from the child welfare system.
  - o Adoption focuses on assessing a family's ability to provide for a child on a long term basis WITHOUT day to day supports from the child welfare system.
    - The North Dakota Post Adopt Network is available to all adoptive families but is only accessed on a voluntarily basis by adoptive families.
    - After an adoption finalization, no child welfare professionals are required to be involved in order to support the family through challenges. Adoption is assessing for a family's long-term ability to problem solve, handle conflict, access services, and advocate on behalf of the child without child welfare professional support and in the best interest of the child

- Questionnaires
  - o Adoption home assessments require prospective adoptive parent couples to engage in a questionnaire to help assess strength and growth areas within communication, conflict resolution, financial management, stress, affection, marriage expectations, social and relationship roles, and parenting and adoption expectations. All applicants engage in a parenting inventory to assess an individual's attitudes and beliefs towards parenting. Through these assessments, an adoption worker is able to engage in extensive discussion around strength areas and areas in which further exploration or referral might be necessary. Education and training is continuous throughout these discussions.
- References
  - o Per NDAC, adoption home assessments require a minimum of 5 references to speak on behalf of an adoptive applicant. Additionally, references are obtained by all adult birth children of the adoptive applicant(s) to provide insight into parenting techniques, relationship dynamics, and strength and growth areas. References can validate information received and can also provide insight into areas that may need further exploration or referral.
- Education
  - o Throughout the adoption home assessment, information gathering is only one piece of the process. A large portion of the process is providing education and preparing adoptive applicants for long-term success during challenging times. Engaging in "what-if" scenarios and talking through how to handle difficult situations independently is a natural part of the adoption home assessment process that is equally as important. Adoptive families do not have the support of the child welfare system after a finalization so preparing, educating, and providing resources is necessary to assess and ensure a family can maintain a stable and healthy family unit now and in the future.

#### Understanding a Family Unit

- Another important component of an adoption home assessment is gathering insight into immediate family member's attitudes and feelings about adoption and committing to a non-biological child for a lifetime. Ensuring members of the family unit are in support of an adoption plan is vital to the long-term commitment of adoptive parents and immediate family members.

NDAC 75-03-36-31 (4) addresses minimally what needs to be assessed and included in an adoption home assessment in North Dakota. All requirements are not assessed in a foster care home assessment so would not suffice under NDAC.

It is important to view the adoption home assessment process as a specialty practice. For example, if a child went in for a check-up and their primary pediatrician indicates they determine the child is experiencing speech delays, that provider is not going to treat the child on their own. They will make a referral to a speech pathologist who will assess the child, educate the parents, and offer specific tools for success. In this scenario, consider adoption as the speech pathologist. Engaging with a professional who specializes in the field and can adequately equip adoptive parents to be the most successful in their family unit is what is necessary.

\*Child Welfare Information Gateway. (2021). Discontinuity and disruption in adoptions and guardianships. U.S. Department of Health and Human Services, Administration for Children and Families, Children's Bureau. <https://www.childwelfare.gov/pubs/s-discon>