

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 58

Session of 1983

INTRODUCED BY MILLER, JANUARY 25, 1983

AS REPORTED FROM COMMITTEE ON HEALTH AND WELFARE, HOUSE OF REPRESENTATIVES, AS AMENDED, OCTOBER 24, 1983

AN ACT

1 Creating the Pennsylvania Adoption Cooperative Exchange;  
2 prescribing responsibilities; requiring certain agencies to  
3 cooperate with the exchange; and providing for regulations  
4 and staff.

5 The General Assembly of the Commonwealth of Pennsylvania  
6 hereby enacts as follows:

7 Section 1. Short title.

8 This act shall be known and may be cited as the Pennsylvania  
9 Adoption ~~Cooperation~~ COOPERATIVE Exchange Act. <—

10 Section 2. Creation of Pennsylvania Adoption Cooperative  
11 Exchange.

12 There is hereby created within the Office of Children and  
13 Youth of the Department of Public Welfare a Pennsylvania  
14 Adoption Cooperative Exchange, referred to in this act as  
15 "PACE."

16 Section 3. Responsibilities and duties.

17 PACE shall be responsible for:

18 (1) The ~~review, analysis~~ REGISTRATION, REVIEW and <—

1 referral of children for whom parental rights have been  
2 terminated. CHILDREN FOR WHOM PARENTAL RIGHTS HAVE NOT BEEN <—  
3 TERMINATED, BUT FOR WHOM ADOPTION IS PLANNED PENDING THE  
4 IDENTIFICATION OF AN ADOPTIVE FAMILY MAY ALSO BE REGISTERED  
5 WITH PACE AS AVAILABLE FOR ADOPTION, HOWEVER INFORMATION  
6 ABOUT THESE CHILDREN SHALL NOT BE PUBLICIZED WITHOUT PRIOR  
7 APPROVAL BY THE OFFICE OF CHILDREN, YOUTH AND FAMILIES OF THE  
8 DEPARTMENT OF PUBLIC WELFARE.

9 (2) The accumulation and dissemination of information  
10 regarding all children for whom parental rights have been  
11 terminated in this Commonwealth.

12 (3) The creation and administration of a public  
13 information program designed to inform potential adoptive  
14 parents of the need for adoptive homes for children  
15 registered with PACE.

16 (4) The preparation and distribution of a photographic  
17 listing service on children registered with PACE. ~~Whenever~~ <—  
18 ~~the child is 12 years or older and will not consent to his~~  
19 ~~adoption, the child need not be listed on the service. The~~  
20 ~~children's names shall be forwarded to PACE by the agency,~~  
21 ~~with reference to the specific reason for which the child is~~  
22 ~~not to be placed on the listing service.~~ A CHILD 12 YEARS OR <—  
23 OLDER WHO WILL NOT CONSENT TO ADOPTION, OR A CHILD FOR WHOM  
24 TERMINATION OF PARENTAL RIGHTS IS BEING APPEALED IN A COURT,  
25 SHALL NOT BE REGISTERED WITH PACE AS AVAILABLE FOR ADOPTION.  
26 IDENTIFYING INFORMATION OF SUCH CHILDREN SHALL BE FORWARDED  
27 TO PACE BY THE AGENCY, WITH REFERENCE TO THE SPECIFIC REASON  
28 FOR WHICH THE CHILD IS NOT TO BE PLACED ON THE LISTING  
29 SERVICE.

30 (5) The preparation of periodic reports concerning

1 ~~activities of PACE and the parents and children referred, for~~ <—  
2 ~~submission to standing committees of the House of~~  
3 ~~Representatives and Senate of Pennsylvania which normally~~  
4 ~~would deliberate on matters of adoption, the Governor and the~~  
5 ~~Secretary of Public Welfare.~~ FUNCTIONS OF PACE REGARDING THE <—  
6 CHILDREN AND THE PROSPECTIVE PARENTS LISTED WITH PACE. SUCH  
7 REPORTS SHALL BE SUBMITTED TO THE HOUSE OF REPRESENTATIVES  
8 HEALTH AND WELFARE AND JUDICIARY COMMITTEES, AND ALSO TO THE  
9 SENATE PUBLIC HEALTH AND WELFARE AND JUDICIARY COMMITTEES, AS  
10 WELL AS TO THE GOVERNOR AND THE SECRETARY OF THE DEPARTMENT  
11 OF PUBLIC WELFARE.

12 (6) The coordination of its ~~activities~~ FUNCTIONS with <—  
13 other state, ~~national and regional~~ REGIONAL AND NATIONAL <—  
14 adoption exchanges.

15 Section 4. Public and private agencies cooperation.

16 All ~~licensed~~ public and LICENSED private child service <—  
17 agencies ~~will be required to~~ SHALL register all children with <—  
18 PACE for whom parental rights have been terminated for 90 days  
19 and for whom no report of intention to adopt has been filed in  
20 the court of common pleas. ANY PUBLIC AND LICENSED PRIVATE <—  
21 AGENCIES MAY REGISTER OTHER CHILDREN AS SET FORTH IN SECTION  
22 3(1).

23 Section 5. Related agencies activities.

24 ~~The provisions of this~~ THIS act shall not be construed to <—  
25 limit or delay actions by agencies or institutions to arrange  
26 for adoptions ~~or institutions to arrange for adoptions~~ or other <—  
27 related matters on their own initiative. They shall not alter or  
28 restrict the duties, authority and confidentiality of the  
29 agencies and institutions in those matters.

30 Section 6. Regulations and staff.

1 The Department of Public Welfare shall promulgate necessary  
2 regulations and shall hire the staff which is necessary to  
3 implement this act.

4 Section 7. ~~Application~~ RETROACTIVE APPLICATION of act. <—

5 This act shall apply RETROACTIVELY to all children for whom <—  
6 parental rights have been terminated for 90 days and for whom no  
7 report of intention to adopt has been filed in the court of  
8 common pleas. ~~prior to the effective date of this act.~~ IT SHALL <—  
9 ALSO APPLY TO ALL CHILDREN FOR WHOM PARENTAL RIGHTS HAVE NOT  
10 BEEN TERMINATED BUT FOR WHOM ADOPTION IS PLANNED PENDING THE  
11 IDENTIFICATION OF AN ADOPTIVE FAMILY. CHILDREN FOR WHOM PARENTAL  
12 RIGHTS HAVE NOT BEEN TERMINATED WHO ARE REFERRED TO PACE SHALL  
13 BE REGISTERED. PACE SHALL NOT PUBLICIZE THE AVAILABILITY OF  
14 THESE CHILDREN UNTIL PARENTAL RIGHTS HAVE BEEN TERMINATED  
15 WITHOUT PRIOR APPROVAL BY THE OFFICE OF CHILDREN, YOUTH AND  
16 FAMILIES OF THE DEPARTMENT OF PUBLIC WELFARE.

17 Section 8. Effective date.

18 This act shall take effect in 60 days.