

TITLE 21. CHILD SAFETY

CHAPTER 9. DEPARTMENT OF CHILD SAFETY - ADOPTION AGENCY LICENSING

ARTICLE 2. ADOPTION AGENCY LICENSING REQUIREMENTS

R21-9-202. Adoption Agency License; Initial Application Package; Fee

- A. A person who wants to operate an adoption agency shall initiate the licensing process by completing an application package for an adoption agency license.
- B. A complete application package for an initial adoption agency license shall contain the information and the supporting documentation listed in this subsection:
 - 1. Identification and background information, including the following information for the adoption agency, facility, and administrators:
 - a. Name, address, telephone, and fax numbers for the adoption agency and all offices operated by the adoption agency;
 - b. Name, title, business address, telephone and fax numbers, and email address of:
 - i. The person who serves as the adoption agency administrator as prescribed in R21-9-211;
 - ii. The person who serves as the Social Services Director as prescribed in R21-9-212;
 - iii. The person with delegated authority to act when the adoption agency administrator is absent;
 - iv. The person in charge of each separate office;
 - v. The registered agent, if applicable; and
 - vi. Persons holding at least a 10 percent ownership interest in the adoption agency applicant;
 - c. The educational qualifications and work history for each person identified in R21-9-214, with that person's attached resume or employment application;
 - d. A list of the members of the adoption agency's governing body required by R21-9-210, including name, address, position in the adoption agency, term of membership, and any relationship to the adoption agency applicant;

- e. If applicable, a written description of any proceedings pending or filed, brought against the adoption agency applicant or a person listed in R21-9-210 through R21-9-214, adoption agency employees, partners, or independent contractors, including those held in this state or another state or country; for denial, suspension, or revocation of a license or certificate for provision of:
 - i. Adoption services; or
 - ii. Social services, including child welfare, child care, or any other programs or services to children, elderly, or vulnerable adults; and
- f. If applicable, a written description of any litigation in which the adoption agency applicant or a person listed in R21-9-210 through R21-9-214 is or has been a party, including, collection matters and bankruptcy proceedings, during the 10 years preceding the date of application for the adoption agency license.

2. Business organization.

- a. An organizational chart for the adoption agency and each separate office, showing administrative structure, lines of authority, and staff;
- b. Business organization documents appropriate to the adoption agency applicant, including:
 - i. Articles of incorporation,
 - ii. By-laws,
 - iii. Articles of organization, or
 - iv. Partnership documents, such as the Partnership Agreement;
- c. Annual reports for the preceding three years if the adoption agency has been in existence for three or more years;
- d. For corporations, or limited liability companies, a certificate of good standing from the Arizona Corporation Commission;
- e. A copy of any license or authorization to perform adoption services in a foreign country; and

f. A consent allowing any out-of-state or foreign licensing authority to release information on the adoption agency applicant to OLR.

3. Staff.

a. A list of the adoption agency applicant's paid or unpaid staff, including:

i. Name,

ii. Position or title,

iii. Degrees,

iv. Certificates,

v. Licenses held,

vi. Business address,

vii. Date of hire,

viii. Date of submission for fingerprinting and criminal background clearance, and

ix. If contracted with the Department, a Central Registry check;

b. Obtain and provide to the Department evidence that all staff, interns, and volunteers have submitted fingerprints and criminal background information as prescribed in A.R.S. § 46-141, R21-9-214, and R21-9-215.

4. Financial Stability.

a. A written, proposed operating budget for startup and a projected or annual budget for the first year of operation;

b. Verifiable documentation of funds available to pay start-up costs; the funds shall be in the form of cash or written authorization for a line of credit;

c. Verifiable documentation of funds available to pay operating expenses for the first three months of operations; the funds shall be in the form of cash or written authorization for a line of credit;

- d. Verifiable documentation of financial resources to operate in accordance with the proposed operating budget for the remaining nine months of the licensing year; the resources may include:
 - i. Cash,
 - ii. Contracts for placement,
 - iii. Donations,
 - iv. Letters of commitment from financial backers or investors,
 - v. Grants, and
 - vi. Authorization for a line of credit;
- e. If the adoption agency applicant, the adoption agency administrator, a Board Member, or any adoption agency employee or partner has operated any adoption agency in this state or any other state during the past 10 years, the most recent financial statement and financial audit for that adoption agency, unless the most recent statement or audit is more than 10 years old; and
- f. A certificate of insurance, or letter of commitment from an insurer, showing that the adoption agency applicant has insurance coverage as prescribed in R21-9-223.

5. Program.

- a. Informational, marketing, or advertising material about the adoption agency;
- b. Program description, including:
 - i. All adoption services the adoption agency applicant intends to provide;
 - ii. The fee the adoption agency applicant will charge for each service;
 - iii. The cost to the adoption agency applicant of providing each service;
 - iv. The time in the adoption process when the adoption agency applicant will require a client to pay the fee described in R21-9-231;
 - v. The anticipated number of clients the adoption agency applicant will serve; and
 - vi. The methods the adoption agency applicant will use to recruit birth parents and prospective adoptive parents; and

- c. A written explanation of how the adoption agency applicant will provide adoption services, including:
 - i. The number and description of staff who will provide the service, and
 - ii. Staff training requirements.
- 6. Documentation, Forms, and Notices. Samples of all documents, forms, and notices, which the adoption agency applicant will use with or provide to a client, including:
 - a. Adoption agency application for services;
 - b. Adoptive parent certification application;
 - c. Fee policy and schedule as prescribed by R21-9-231;
 - d. Sample birth parent relinquishment and consent form;
 - e. Informational or advertising brochures;
 - f. Sample fee agreement;
 - g. Sample birth parent agreement letter;
 - h. Intake form;
 - i. Sample case file;
 - j. Court report format; and
 - k. Statistical report.
- 7. Sample Files. A sample of the type of filing format the adoption agency applicant will utilize for personnel files as prescribed in R21-9-216, and client files as prescribed in R21-9-226 and R21-9-227.
- 8. Policies and Procedures. Copies of the adoption agency applicant's internal policies and operations manual.
- 9. Physical site and environment.
 - a. The floor plan for each office or location designated for conducting private discussions, interviews, and meetings;

- b. A description of the adoption agency applicant's computer security system and the adoption agency applicant's confidentiality safeguards; and
- c. Registration and inspection certificates for all vehicles used to transport a client or children.

10. Miscellaneous.

- a. A signed, written statement authorizing OLR to investigate the adoption agency applicant;
- b. The signature, under penalty of perjury, of the adoption agency administrator or authorized person submitting the application, attesting to the truthfulness of the information contained in the application;
- c. The date of application; and
- d. Board or partnership meeting minutes for the past three years if the adoption agency has been in existence for three or more years.

11. Fee. Pay a non-refundable, initial application fee of \$400.

- C. An adoption agency that does not have or maintain all or part of the supporting documentation listed in this Section shall so indicate in a written statement filed with the application.

R21-9-207. Application for License Renewal; Fee

- A. No earlier than 90 days and no later than 45 days prior to the expiration date of a license, an adoption agency may apply to OLR for license renewal.
- B. The renewal application shall be on a Department form containing the information listed in R21-9-202 and R21-9-203, as applicable.
- C. The adoption agency shall submit evidence that each current employee has obtained a new fingerprint clearance card every six years following original clearance.
- D. An adoption agency shall submit copies of the supporting documents listed in R21-9-202 if the adoption agency has changed, amended, or updated such documents since the adoption agency last renewed its license.

E. With a renewal application, the adoption agency shall also submit a non-refundable renewal fee of \$225 and the following documentation:

1. A current financial statement;
2. A copy of the adoption agency's current operating budget and a recent audit report required by R21-9-222 or if applicable, the documentation required by R21-9-222 subsection (C);
3. Copies of any written complaints the adoption agency has received about its performance during the expiring license year; and
4. A written description of any changes in program services or locations, or the population served by the adoption agency.