

## HOUSE BILL No. 2481

By Committee on Health and Human Services

2-8

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9 AN ACT concerning adoptions; relating to persons authorized to make  
10 assessments; amending K.S.A. 2006 Supp. 59-2132 and repealing the  
11 existing section.  
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13 *Be it enacted by the Legislature of the State of Kansas:*

14 Section 1. K.S.A. 2006 Supp. 59-2132 is hereby amended to read as  
15 follows: 59-2132. (a) Except as provided in subsection (h), in independent  
16 and agency adoptions, the court shall require the petitioner to obtain an  
17 assessment by a court approved social worker licensed to practice social  
18 work in Kansas, *a marriage and family therapist licensed to practice in*  
19 *Kansas, a professional counselor licensed to practice in Kansas, a psy-*  
20 *chologist licensed to practice in Kansas, a masters level psychologist li-*  
21 *censed to practice in Kansas* or by a licensed child-placing agency of the  
22 advisability of the adoption.

23 (b) The petitioner shall file with the court, not less than 10 days be-  
24 fore the hearing on the petition, a report of the assessment and, if nec-  
25 essary, confirmation or clarification of the information filed under K.S.A.  
26 59-2130, and amendments thereto.

27 (c) If there is no licensed social worker, *licensed marriage and family*  
28 *therapist, licensed professional counselor, licensed psychologist, licensed*  
29 *masters level psychologist* or licensed child-placing agency available to  
30 make the assessment and report to the court, the court may use the  
31 department of social and rehabilitation services for that purpose.

32 (d) The costs of making the assessment and report may be assessed  
33 as court costs in the case as provided in article 20 of chapter 60 of the  
34 Kansas Statutes Annotated and amendments thereto.

35 (e) In making the assessment, the social worker, *marriage and family*  
36 *therapist, professional counselor, psychologist, masters level psychologist,*  
37 child-placing agency or department of social and rehabilitation services is  
38 authorized to observe the child in the petitioner's home, verify financial  
39 information of the petitioner, shall clear the name of the petitioner with  
40 the child abuse and neglect registry through the department of social and  
41 rehabilitation services and, when appropriate, with a similar registry in  
42 another state or nation, shall determine whether the petitioner has been  
43 convicted of a felony for any act described in articles 34, 35 or 36 of

1 chapter 21 of the Kansas Statutes Annotated, and amendments thereto,  
2 or, within the last five years been convicted of a felony violation of the  
3 uniform controlled substances act, K.S.A. 65-4101 et seq. and amend-  
4 ments thereto and, when appropriate, any similar conviction in another  
5 jurisdiction, and to contact the agency or individuals consenting to the  
6 adoption and confirm and, if necessary, clarify any genetic and medical  
7 history filed with the petition. This information shall be made a part of  
8 the report to the court. The report to the court by the social worker,  
9 child-placing agency or department of social and rehabilitation services  
10 shall include the results of the investigation of the petitioner, the peti-  
11 tioner's home and the ability of the petitioner to care for the child.

12 (f) In the case of a nonresident who is filing a petition to adopt a child  
13 in Kansas, the assessment and report required by this section must be  
14 completed in the petitioner's state of residence by a licensed social  
15 worker, a licensed child-placing agency or a comparable entity in that  
16 state and filed with the court not less than 10 days before the hearing on  
17 the petition.

18 (g) The assessment and report required by this section must have  
19 been completed not more than one year prior to the filing of the petition  
20 for adoption.

21 (h) The assessment and report required by this section may be waived  
22 by the court upon: (1) Review of a petition requesting such waiver by a  
23 relative of the child; or

24 (2) the court's own motion.

25 Sec. 2. K.S.A. 2006 Supp. 59-2132 is hereby repealed.

26 Sec. 3. This act shall take effect and be in force from and after its  
27 publication in the statute book.