

10A NCAC 70H .0409 RECORDS

(a) The agency shall keep separate records for each adoptive applicant and family that contain the following:

- (1) application form;
- (2) certified copies of marriage certificates, if applicable;
- (3) certified documentation of marriage termination, if applicable;
- (4) current medical records on all family members and psychological or psychiatric reports, if applicable;
- (5) references from at least three sources;
- (6) preplacement assessment conducted by the agency;
- (7) copies of correspondence to, from, and in regard to the applicants;
- (8) summary and dates and content of contacts prior to and following approval for adoption until the decree of adoption is entered;
- (9) copies of information given to the applicant and family concerning the child or children to be placed for adoption with them;
- (10) copies of all legal documents pertaining to the adoption; and
- (11) summary containing the placement decision, pre-placement and post-placement contacts with the family and child.

(b) In the event the applicants were not accepted or did not have a child placed with them, the record shall contain a narrative indicating the reasons and the manner in which the decision was presented to the applicants. The agency may destroy in office the closed records of applicants who were not accepted or who did not have a child placed with them three years after the date of their application or application denial, unless included in a federal or state fiscal or program audit that is unresolved. The agency may destroy the record in office when released from all audits.

(c) All individual children, birth parents and adoptive family records shall be permanently retained by the agency. After a period of seven years, the files may be microfilmed or scanned in accordance with provisions of G.S. 8-45.1, following which the original files may be destroyed by a shredding process.

(d) All children, birth parents and adoptive applicant and family records shall be kept in locked quarters and information from the files may be divulged only in compliance with provisions of G.S. 48-9-103 and G.S. 48-9-105.

*History Note: Authority G.S. 48-3-303; 131D-10.5; 143B-153;
Eff. October 1, 2008;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 3, 2017.*