

9545.0755 PURPOSE AND APPLICABILITY.

Subpart 1. **Purpose.** Minnesota Statutes, section 245A.03, subdivision 1, requires a private agency that receives a child for care, supervision, or placement in foster care or adoption or helps plan the placement of a child in foster care or adoption to be licensed by the commissioner. Additionally, Minnesota Statutes, section 317A.907, subdivision 3, specifies that a corporation formed under Minnesota Statutes, section 317A.907, to secure homes for orphaned, homeless, abandoned, neglected, or mistreated children must comply with rules established by the commissioner to govern its operation. Parts 9545.0755 to 9545.0845 establish the conditions for licensure of private child-placing agencies specified in Minnesota Statutes, section 317A.907, subdivision 3.

Subp. 2. **Applicability.** Parts 9545.0755 to 9545.0845 apply to any private agency as defined in Minnesota Statutes, section 245A.02, subdivision 12, that operates in Minnesota and performs one or more of the activities listed in items A to H.

A. Supervises a licensed foster care provider that cares for a child for whom the commissioner, a county, a private agency, another entity, an Indian tribe, or the child's parent or guardian remains legally responsible.

B. Arranges for or provides short-term licensed foster care while a child is being legally freed for adoption or while an adoptive placement is being arranged.

C. Places a child for adoption under the written agreement specified in Minnesota Statutes, section 259.25, or as legal guardian under Minnesota Statutes, section 260C.325.

D. Compiles a listing from which a birth parent can identify potential adoptive parents for a child for whom adoption is projected.

E. Assists birth parents or prospective adoptive parents with fulfilling the requirements of Minnesota Statutes, sections 260.851 to 260.91, the Interstate Compact on the Placement of Children.

F. Collects health and social history from the birth family of a child for the information of the child's prospective adoptive parents.

G. Studies the suitability of an adoptive applicant's home.

H. Assists birth parents to execute consents to adoption.

Parts 9545.0755 to 9545.0845 also apply to an agency that performs one or more of the activities listed in items A to H in Minnesota but is incorporated under the laws of a state other than Minnesota.

Statutory Authority: *MS s 245A.03; 317A.907*

History: *18 SR 1593; L 1999 c 139 art 4 s 2*

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