From: Stacy Cutler [scutler@jfshartford.org]
Sent: Wednesday, December 10, 2003 4:32
To: adoptionregs@state.gov
Subject: State/AR-01/96

ADOPTION CENTER

JEWISH FAMILY SERVICE OF GREATER HARTFORD

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To the U.S. State Department in reference to State/AR-01/96,

Jewish Family Service of Greater Hartford, Connecticut has a number of concerns in regards to the proposed regulations on intercountry adoption. We are a non-profit organization and have been providing adoption services for nearly ninety years. Our agency has a small adoption program currently providing only around twenty homestudies a year. We have an international adoption program with Guatemala. Our concerns are as follow:

Subpart C states that all agencies providing adoption services will need to be accredited. We are concerned about the costs of accreditation. We are currently accredited by the COA. The initial process of this accreditation cost our agency around five thousand dollars. Depending on who is chosen as the accrediting organization the cost of the new accreditation process could be significantly more. We fear that these costs will be prohibitive to small adoption programs like ours.

Subpart F, 96.33 states that an adoption agency needs to carry at least one million dollars of liability insurance and possibly more depending on the assessment of our legal risk. We currently have a policy that insures us for a million dollars but it does not cover persons that we work with outside of the country. We have contacted our insurance provider who has indicated to us that at the present time no such insurance is available. We can only assume that this insurance will be more costly than what we currently carry. We are unsure how the assessment of legal risk will be handled and would like some explanation about this.

Subpart F, 96.33 also states that an adoption agency must maintain cash reserves to meet operating expenses for at least three months. It is unclear to us exactly what is meant by operating expenses and we are unsure how much money we will be required to have in reserve. We are concerned that we will not be able to meet this requirement with the limited income from our adoption program.

Subpart F, 96.45 and 96.46 states that an accredited agency will be responsible for the acts of any agency or person in the United States or abroad that they choose to work with. We are not able to directly supervise most agencies and persons that we work with in the U.S. and certainly have a very limited ability to do this with those that we work with abroad. It will be very difficult to obtain complete information about a provider's history of practice especially in a developing country. Entering into a written agreement with a person in another country may also be difficult because of the difference in legal systems. We do not understand how we can be held responsible for the acts of those who are not

employed by our agency and are unsure how our agency will be able to protect itself.

Overall our concern about these proposed regulations is that they will raise costs and make it more difficult for us to provide adoption services to our clients. The increase in costs will be passed on to our clients making it more difficult or impossible for them to adopt. We fear that the proposed regulations will have negative effects on children waiting to be adopted, families wanting to adopt children, and agencies and their employees. Small agencies will likely be the most effected by these changes and many will probably be forced out of business. We take pride in the professional and personalized services that we are able to offer our clients. Our concern is that these regulations will limit our ability to provide the excellent adoption services that clients have come to expect from us.

Respectfully,

Stacy E. Cutler
MSW Student Intern
at Jewish Family Service
of Greater Hartford

Jewish Family Service is a beneficiary of the Annual Campaign of the Jewish Federation of Greater Hartford and a member agency of the United Way of the Capital Area. Accredited by the Council on Accreditation and a member of the Association of Jewish Family and Children's Agencies and the CT Council of Family Service Agencies.