

1 _____ BILL NO. _____

2 INTRODUCED BY _____
3 (Primary Sponsor)

4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING CHILD ABUSE AND NEGLECT LAWS INVOLVING
5 ADOPTIVE FAMILIES; AND PROVIDING THAT ONLY LICENSED PROFESSIONALS WITH TRAINING
6 REGARDING ADOPTION MAY INVESTIGATE ALLEGATIONS OF CHILD ABUSE OR NEGLECT AGAINST
7 AN ADOPTIVE PARENT OR REMOVE A CHILD FROM THE CHILD'S ADOPTIVE HOME."

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9 WHEREAS, in child abuse and neglect proceedings, an adoptive family is unique because the adoptive
10 parents have already completed a rigorous vetting process before being allowed to adopt a child; and

11 WHEREAS, a child who has been adopted may be traumatized from losing the child's birth family; and

12 WHEREAS, when Child Protective Services becomes involved with an adoptive family, the process
13 should be focused on keeping the child in the adoptive home and building the child's attachment instead of
14 causing further trauma to the child by removing the child from the adoptive home; and

15 WHEREAS, investigations into allegations of abuse and neglect against an adoptive parent or removal
16 of an adopted child from the adoptive home should only be performed by a licensed clinical social worker, a
17 licensed psychologist, or another professional who has received training specific to the complexities of
18 adoption.

19
20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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22 **NEW SECTION. Section 1. Requirements for investigation of allegations of child abuse and**
23 **neglect against adoptive parent -- removal of adopted child from adoptive home.** (1) When investigating
24 allegations of child abuse and neglect against an adoptive parent or whenever an adopted child is removed
25 from the child's adoptive home by the department, the child protective social worker investigating the
26 allegations or removing the child must be:

27 (a) a licensed clinical social worker under Title 37, chapter 22;

28 (b) a licensed psychologist under Title 37, chapter 17; or

1 (c) a professional who has received specific training regarding the complexities of adoption.

2 (2) For the purposes of this section, "adoptive parent" has the meaning provided in 42-1-103.

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4 NEW SECTION. Section 2. Codification instruction. [Section 1] is intended to be codified as an
5 integral part of Title 41, chapter 3, part 1, and the provisions of Title 41, chapter 3, part 1, apply to [section 1].

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