

HEALTH FACILITY MINOR RELEASE REPORT

Prepare original and 3 copies: one copy each for hospital file, birth parent, and person receiving minor. SEE INSTRUCTIONS ON REVERSE SIDE
Send original to: California Department of Social Services (Within 48 hours as required by Health & Safety Code Section 1283)
744 P Street, M/S 19-67
Sacramento, California 95814

IMPORTANT NOTICE

THIS HEALTH FACILITY RELEASE FORM IS NOT A RELINQUISHMENT FOR OR CONSENT TO ADOPTION.

IN CALIFORNIA, A BIRTH PARENT MAY PLACE A CHILD FOR ADOPTION BY AN:

- 1) Agency Adoption: The birth parent relinquishes the child to a licensed private or public adoption agency...
2) Independent Adoption: The birth parent selects and places the child directly with the prospective adoptive parents.

A birth parent may place a child in foster care with an agency or with a person. Within six months, the birth parent must either sign a relinquishment, consent, an Independent Adoption Placement Agreement, or reclaim the child.

I. IDENTIFYING INFORMATION

Child's Name Birthdate Gender Male Female

II. PARENT'S AUTHORIZATION (Fill out completely before parent signs. Alterations or deletions invalidate form).

A. I, the parent of Hospital to release my child to residing at (complete address) for the purpose of Independent Adoption by (full names) residing at (address) who has/have my permission to care for my child in his/her/their home, Agency Adoption planning, Foster Care, Other, Explain. This authorization only releases my child from the hospital.

B. MEDICAL AUTHORIZATION

I authorize and empower the person(s) named in Section II A above to make any provisions for medical and surgical care for my child identified on this report, including anaesthesia, which may be deemed necessary or advisable by any licensed physician, for a period not to exceed six months from the date of my child's release from this hospital.

(Witness) (Date) (Signature of parent, or person having legal custody of child)

III. ACKNOWLEDGEMENT BY PERSON(S) RECEIVING CHILD

On (date) I/we received (child's name) for the purpose of Independent Adoption, Agency Adoption planning, Foster Care, Other, as explained above. If the child is released for Independent Adoption and an adoption petition is not filed within 30 days, the California Department of Social Services will begin an investigation to determine if a foster care licensing law is being violated.

I/we understand that this authorizes only the release of this child from the hospital. This is not a consent or relinquishment of this child for adoption.

(Witness) (Date) (Signature of persons receiving child)

(Organization - if Applicable)

(Address)

Identification of person(s) receiving child (two ID's required): Driver's license number State Social Security number or other identification Telephone number

IV. REPORT OF HOSPITAL

(Name of Hospital) (Address) (Name of Attending Physician) (Mother's Admission Date) (Discharge Date) (Mother's Name) (DOB) (Mother's Address) (Father's Name) (DOB) (Father's Address) (Signature of Administrator or Designated Representative)

INSTRUCTIONS FOR COMPLETING THE HEALTH FACILITY MINOR RELEASE REPORT

This form shall be completed for each child under 16 years of age who is discharged from a health facility to a person other than the child's parent, relative by blood or marriage, or person having legal custody unless the child is transferred to another health facility or comes within Sections 300, 601 or 602 of the Welfare and Institutions Code and is released to an agent of a public welfare, probation or law enforcement agency.

Section I. Enter the child's name, birthdate and sex (as shown on the "Record of Live Birth" (VS 10) if the child is a newborn).

Section II.. The name and address of the person(s) or agency authorized by the parent or guardian to remove a child from the health facility and, if an independent adoption, the name and address of the person(s) with whom the child will be placed must be entered in the appropriate space before the parent or guardian signs the authorization.

Section III. The person(s) or agency receiving the child shall be the same as the person or agency designated by the parent or guardian in Section II.

Section IV. Complete the entire section. If the father's name is unknown or withheld, this should be indicated.

A copy of the Health Facility Minor Release Report shall be offered to both parent or guardian and the person(s) removing the child from the health facility as all persons are entitled to copies of any documents they may sign. If the copy is refused, this should be noted and retained in the health facility file with the health facility copy.

CALIFORNIA LAW REGARDING RELEASE OF MINOR FROM HEALTH FACILITY

Section 1283 of the Health and Safety Code states:

"(a) No health facility shall surrender the physical custody of a minor under 16 years of age to any person unless such surrender is authorized in writing by the child's parent, the person having legal custody of the child, or the caregiver of the child who is a relative of the child and who may authorize medical care and dental care under 6550 of the Family Code.

"(b) A health facility shall report to the California Department of Health Services, on forms supplied by the department, the name and address of any person and, in the case of a person acting as an agent for an organization, the name and address of the organization, into whose physical custody a minor under the age of 16 is surrendered, other than a parent, relative by blood or marriage, or person having legal custody. This report shall be transmitted to the department within 48 hours of the surrendering of custody. No report to the department is required if a minor under the age of 16 is transferred to another health facility for further care or if this minor comes within Section 300, 601, or 602 of the Welfare and Institutions Code and is released to an agent of a public welfare, probation, or law enforcement agency."

CALIFORNIA LAW REGARDING PLACEMENT OF CHILDREN

Section 8609(b) of the Family Code states:

"Any person, other than a birth parent, or any organization, association, or corporation that, without holding a valid and unrevoked license to place children for adoption issued by the department [of Social Services], places any child for adoption is guilty of a misdemeanor."

CALIFORNIA LAW REGARDING TERMINATION OF PARENTAL RIGHTS

Section 7820 of the Family Code in part states:

"A proceeding may be brought under this part for the purpose of having any child under the age of 18 years declared free from the custody and control of either or both parents if the child comes within any of the following descriptions set out in this chapter."

Section 7822 of the Family Code in part states:

"(a) A proceeding under this part may be brought where the child . . . has been left by both parents or the sole parent in the care and custody of another for a period of six months . . . without any provision for the child's support, or without communication from the parent or parents, with the intent on the part of the parent or parents to abandon the child."

"(d) If the parent has placed the child for adoption and has not refused to give the required consent to adoption, evidence of the adoptive placement shall not in itself preclude the court from finding an intent on the part of that parent to abandon the child. If the parent has placed the child for adoption and has refused to give the required consent to adoption but has not taken reasonable action to obtain custody of the child, evidence of the adoptive placement shall not in itself preclude the court from finding an intent on the part of that parent to abandon the child."