



Notice of Right To Payment for Adoption-Related Counseling

Pursuant to the provisions of ORS 109.346 notice is given to the consenting birth parent:

- A birth parent consenting to an adoption shall have the right to payment for three pre-placement adoption-related counseling sessions and three post-consent adoption-related counseling sessions.
- The prospective adoptive parent(s) will pay all uninsured costs of these adoption-related counseling sessions, provided the counseling is received within one year of the date of surrender or relinquishment of the child for adoption.
- Adoption-related counseling under ORS 109.346, unless otherwise agreed to by the adoptive parent and the consenting birth parent, shall be provided by:
 - (A) A social worker employed by an Oregon licensed adoption agency other than the social worker assigned to the prospective adoptive parent;
 - (B) A social worker, counselor or therapist who is working under the supervision of a licensed clinical social worker or a licensed professional counselor and who is knowledgeable about birth parent, adoption and grief and loss issues; or
 - (C) A social worker, counselor, or therapist who:
 - Has a graduate degree in social work, counseling or psychology; and
 - Is knowledgeable about birth parent, adoption and grief and loss issues.
- The requirements of ORS 109.346 do not apply to:
 - An adoption where a birth parent relinquishes parental rights to the State Office for Services to Children and Families;
 - An adoption where one parent retains parental rights;
 - An adoption where the child is born in a foreign country and adopted under the laws of that country or re-adopted in Oregon;
 - An adoption where the child is born in a foreign country and subsequently adopted in Oregon and where the identity or whereabouts of the child's birth parents are unknown; or
 - The adoption of an adult.
- Failure to provide the notice required by this section is not grounds for setting aside an adoption decree or for revocation of a written consent to adoption or a certificate of irrevocability.
- ORS 109.347 allows an aggrieved birth parent the right to file a civil action for payment or reimbursement of the uninsured costs of adoption-related counseling.