



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

HB3925

Introduced 2/26/2009, by Rep. Elizabeth Coulson

#### SYNOPSIS AS INTRODUCED:

See Index

Amends the Illinois Public Aid Code and the Abandoned Newborn Infant Protection Act. Provides that "fire station" means a fire station with at least one staff person (instead of that is staffed with at least one full-time emergency medical professional). Provides that "newborn infant" means a child who a licensed physician reasonably believes is 30 (instead of 7) days old or less. Defines "safe haven" to mean a hospital, fire station, police station, or emergency medical facility at which a newborn infant may be relinquished. Provides that any public reporting of information required in connection with the relinquishment of a newborn infant, including, but not limited to, reporting required under the Vital Records Act or under any other law, shall identify the mother of the relinquished newborn infant and the infant as "unknown". Makes changes concerning the information packet that a hospital or other facility must offer to a person who relinquishes a newborn infant. Provides that a relinquished newborn infant's mother, as well as the infant, are eligible for medical assistance under the Illinois Public Aid Code. Provides that the Department of Children and Family Services shall notify a hospital to whom a newborn infant has been relinquished of the name of the child-placing agency authorized by the Department to take custody of the infant from the hospital. Provides if a relinquished newborn infant was born in a hospital and was relinquished to the hospital without having left the hospital, the Department need not verify that the infant is not a missing child before filing a petition for termination of parental rights.

LRB096 07614 DRJ 22288 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning children.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Illinois Public Aid Code is amended by  
5 changing Section 5-2 as follows:

6 (305 ILCS 5/5-2) (from Ch. 23, par. 5-2)

7 Sec. 5-2. Classes of Persons Eligible. Medical assistance  
8 under this Article shall be available to any of the following  
9 classes of persons in respect to whom a plan for coverage has  
10 been submitted to the Governor by the Illinois Department and  
11 approved by him:

12 1. Recipients of basic maintenance grants under  
13 Articles III and IV.

14 2. Persons otherwise eligible for basic maintenance  
15 under Articles III and IV but who fail to qualify  
16 thereunder on the basis of need, and who have insufficient  
17 income and resources to meet the costs of necessary medical  
18 care, including but not limited to the following:

19 (a) All persons otherwise eligible for basic  
20 maintenance under Article III but who fail to qualify  
21 under that Article on the basis of need and who meet  
22 either of the following requirements:

23 (i) their income, as determined by the

1 Illinois Department in accordance with any federal  
2 requirements, is equal to or less than 70% in  
3 fiscal year 2001, equal to or less than 85% in  
4 fiscal year 2002 and until a date to be determined  
5 by the Department by rule, and equal to or less  
6 than 100% beginning on the date determined by the  
7 Department by rule, of the nonfarm income official  
8 poverty line, as defined by the federal Office of  
9 Management and Budget and revised annually in  
10 accordance with Section 673(2) of the Omnibus  
11 Budget Reconciliation Act of 1981, applicable to  
12 families of the same size; or

13 (ii) their income, after the deduction of  
14 costs incurred for medical care and for other types  
15 of remedial care, is equal to or less than 70% in  
16 fiscal year 2001, equal to or less than 85% in  
17 fiscal year 2002 and until a date to be determined  
18 by the Department by rule, and equal to or less  
19 than 100% beginning on the date determined by the  
20 Department by rule, of the nonfarm income official  
21 poverty line, as defined in item (i) of this  
22 subparagraph (a).

23 (b) All persons who would be determined eligible  
24 for such basic maintenance under Article IV by  
25 disregarding the maximum earned income permitted by  
26 federal law.

1           3. Persons who would otherwise qualify for Aid to the  
2 Medically Indigent under Article VII.

3           4. Persons not eligible under any of the preceding  
4 paragraphs who fall sick, are injured, or die, not having  
5 sufficient money, property or other resources to meet the  
6 costs of necessary medical care or funeral and burial  
7 expenses.

8           5.(a) Women during pregnancy, after the fact of  
9 pregnancy has been determined by medical diagnosis, and  
10 during the 60-day period beginning on the last day of the  
11 pregnancy, together with their infants and children born  
12 after September 30, 1983, whose income and resources are  
13 insufficient to meet the costs of necessary medical care to  
14 the maximum extent possible under Title XIX of the Federal  
15 Social Security Act.

16           (b) The Illinois Department and the Governor shall  
17 provide a plan for coverage of the persons eligible under  
18 paragraph 5(a) by April 1, 1990. Such plan shall provide  
19 ambulatory prenatal care to pregnant women during a  
20 presumptive eligibility period and establish an income  
21 eligibility standard that is equal to 133% of the nonfarm  
22 income official poverty line, as defined by the federal  
23 Office of Management and Budget and revised annually in  
24 accordance with Section 673(2) of the Omnibus Budget  
25 Reconciliation Act of 1981, applicable to families of the  
26 same size, provided that costs incurred for medical care

1 are not taken into account in determining such income  
2 eligibility.

3 (c) The Illinois Department may conduct a  
4 demonstration in at least one county that will provide  
5 medical assistance to pregnant women, together with their  
6 infants and children up to one year of age, where the  
7 income eligibility standard is set up to 185% of the  
8 nonfarm income official poverty line, as defined by the  
9 federal Office of Management and Budget. The Illinois  
10 Department shall seek and obtain necessary authorization  
11 provided under federal law to implement such a  
12 demonstration. Such demonstration may establish resource  
13 standards that are not more restrictive than those  
14 established under Article IV of this Code.

15 6. Persons under the age of 18 who fail to qualify as  
16 dependent under Article IV and who have insufficient income  
17 and resources to meet the costs of necessary medical care  
18 to the maximum extent permitted under Title XIX of the  
19 Federal Social Security Act.

20 7. Persons who are under 21 years of age and would  
21 qualify as disabled as defined under the Federal  
22 Supplemental Security Income Program, provided medical  
23 service for such persons would be eligible for Federal  
24 Financial Participation, and provided the Illinois  
25 Department determines that:

26 (a) the person requires a level of care provided by

1 a hospital, skilled nursing facility, or intermediate  
2 care facility, as determined by a physician licensed to  
3 practice medicine in all its branches;

4 (b) it is appropriate to provide such care outside  
5 of an institution, as determined by a physician  
6 licensed to practice medicine in all its branches;

7 (c) the estimated amount which would be expended  
8 for care outside the institution is not greater than  
9 the estimated amount which would be expended in an  
10 institution.

11 8. Persons who become ineligible for basic maintenance  
12 assistance under Article IV of this Code in programs  
13 administered by the Illinois Department due to employment  
14 earnings and persons in assistance units comprised of  
15 adults and children who become ineligible for basic  
16 maintenance assistance under Article VI of this Code due to  
17 employment earnings. The plan for coverage for this class  
18 of persons shall:

19 (a) extend the medical assistance coverage for up  
20 to 12 months following termination of basic  
21 maintenance assistance; and

22 (b) offer persons who have initially received 6  
23 months of the coverage provided in paragraph (a) above,  
24 the option of receiving an additional 6 months of  
25 coverage, subject to the following:

26 (i) such coverage shall be pursuant to

1 provisions of the federal Social Security Act;

2 (ii) such coverage shall include all services  
3 covered while the person was eligible for basic  
4 maintenance assistance;

5 (iii) no premium shall be charged for such  
6 coverage; and

7 (iv) such coverage shall be suspended in the  
8 event of a person's failure without good cause to  
9 file in a timely fashion reports required for this  
10 coverage under the Social Security Act and  
11 coverage shall be reinstated upon the filing of  
12 such reports if the person remains otherwise  
13 eligible.

14 9. Persons with acquired immunodeficiency syndrome  
15 (AIDS) or with AIDS-related conditions with respect to whom  
16 there has been a determination that but for home or  
17 community-based services such individuals would require  
18 the level of care provided in an inpatient hospital,  
19 skilled nursing facility or intermediate care facility the  
20 cost of which is reimbursed under this Article. Assistance  
21 shall be provided to such persons to the maximum extent  
22 permitted under Title XIX of the Federal Social Security  
23 Act.

24 10. Participants in the long-term care insurance  
25 partnership program established under the Illinois  
26 Long-Term Care Partnership Program Act ~~Partnership for~~

1 ~~Long Term Care Act~~ who meet the qualifications for  
2 protection of resources described in Section 15 ~~25~~ of that  
3 Act.

4 11. Persons with disabilities who are employed and  
5 eligible for Medicaid, pursuant to Section  
6 1902(a)(10)(A)(ii)(xv) of the Social Security Act, as  
7 provided by the Illinois Department by rule. In  
8 establishing eligibility standards under this paragraph  
9 11, the Department shall, subject to federal approval:

10 (a) set the income eligibility standard at not  
11 lower than 350% of the federal poverty level;

12 (b) exempt retirement accounts that the person  
13 cannot access without penalty before the age of 59 1/2,  
14 and medical savings accounts established pursuant to  
15 26 U.S.C. 220;

16 (c) allow non-exempt assets up to \$25,000 as to  
17 those assets accumulated during periods of eligibility  
18 under this paragraph 11; and

19 (d) continue to apply subparagraphs (b) and (c) in  
20 determining the eligibility of the person under this  
21 Article even if the person loses eligibility under this  
22 paragraph 11.

23 12. Subject to federal approval, persons who are  
24 eligible for medical assistance coverage under applicable  
25 provisions of the federal Social Security Act and the  
26 federal Breast and Cervical Cancer Prevention and

1 Treatment Act of 2000. Those eligible persons are defined  
2 to include, but not be limited to, the following persons:

3 (1) persons who have been screened for breast or  
4 cervical cancer under the U.S. Centers for Disease  
5 Control and Prevention Breast and Cervical Cancer  
6 Program established under Title XV of the federal  
7 Public Health Services Act in accordance with the  
8 requirements of Section 1504 of that Act as  
9 administered by the Illinois Department of Public  
10 Health; and

11 (2) persons whose screenings under the above  
12 program were funded in whole or in part by funds  
13 appropriated to the Illinois Department of Public  
14 Health for breast or cervical cancer screening.

15 "Medical assistance" under this paragraph 12 shall be  
16 identical to the benefits provided under the State's  
17 approved plan under Title XIX of the Social Security Act.  
18 The Department must request federal approval of the  
19 coverage under this paragraph 12 within 30 days after the  
20 effective date of this amendatory Act of the 92nd General  
21 Assembly.

22 13. Subject to appropriation and to federal approval,  
23 persons living with HIV/AIDS who are not otherwise eligible  
24 under this Article and who qualify for services covered  
25 under Section 5-5.04 as provided by the Illinois Department  
26 by rule.

1           14. Subject to the availability of funds for this  
2 purpose, the Department may provide coverage under this  
3 Article to persons who reside in Illinois who are not  
4 eligible under any of the preceding paragraphs and who meet  
5 the income guidelines of paragraph 2(a) of this Section and  
6 (i) have an application for asylum pending before the  
7 federal Department of Homeland Security or on appeal before  
8 a court of competent jurisdiction and are represented  
9 either by counsel or by an advocate accredited by the  
10 federal Department of Homeland Security and employed by a  
11 not-for-profit organization in regard to that application  
12 or appeal, or (ii) are receiving services through a  
13 federally funded torture treatment center. Medical  
14 coverage under this paragraph 14 may be provided for up to  
15 24 continuous months from the initial eligibility date so  
16 long as an individual continues to satisfy the criteria of  
17 this paragraph 14. If an individual has an appeal pending  
18 regarding an application for asylum before the Department  
19 of Homeland Security, eligibility under this paragraph 14  
20 may be extended until a final decision is rendered on the  
21 appeal. The Department may adopt rules governing the  
22 implementation of this paragraph 14.

23           15. A newborn infant relinquished in accordance with  
24 the Abandoned Newborn Infant Protection Act, and the  
25 infant's mother, as provided in Section 45 of that Act.

26 The Illinois Department and the Governor shall provide a

1 plan for coverage of the persons eligible under paragraph 7 as  
2 soon as possible after July 1, 1984.

3 The eligibility of any such person for medical assistance  
4 under this Article is not affected by the payment of any grant  
5 under the Senior Citizens and Disabled Persons Property Tax  
6 Relief and Pharmaceutical Assistance Act or any distributions  
7 or items of income described under subparagraph (X) of  
8 paragraph (2) of subsection (a) of Section 203 of the Illinois  
9 Income Tax Act. The Department shall by rule establish the  
10 amounts of assets to be disregarded in determining eligibility  
11 for medical assistance, which shall at a minimum equal the  
12 amounts to be disregarded under the Federal Supplemental  
13 Security Income Program. The amount of assets of a single  
14 person to be disregarded shall not be less than \$2,000, and the  
15 amount of assets of a married couple to be disregarded shall  
16 not be less than \$3,000.

17 To the extent permitted under federal law, any person found  
18 guilty of a second violation of Article VIIIA shall be  
19 ineligible for medical assistance under this Article, as  
20 provided in Section 8A-8.

21 The eligibility of any person for medical assistance under  
22 this Article shall not be affected by the receipt by the person  
23 of donations or benefits from fundraisers held for the person  
24 in cases of serious illness, as long as neither the person nor  
25 members of the person's family have actual control over the  
26 donations or benefits or the disbursement of the donations or

1 benefits.

2 (Source: P.A. 94-629, eff. 1-1-06; 94-1043, eff. 7-24-06;  
3 95-546, eff. 8-29-07; revised 1-22-08.)

4 Section 10. The Abandoned Newborn Infant Protection Act is  
5 amended by changing Sections 10, 30, 35, 45, and 50 as follows:

6 (325 ILCS 2/10)

7 Sec. 10. Definitions. In this Act:

8 "Abandon" has the same meaning as in the Abused and  
9 Neglected Child Reporting Act.

10 "Abused child" has the same meaning as in the Abused and  
11 Neglected Child Reporting Act.

12 "Child-placing agency" means a licensed public or private  
13 agency that receives a child for the purpose of placing or  
14 arranging for the placement of the child in a foster family  
15 home or other facility for child care, apart from the custody  
16 of the child's parents.

17 "Department" or "DCFS" means the Illinois Department of  
18 Children and Family Services.

19 "Emergency medical facility" means a freestanding  
20 emergency center or trauma center, as defined in the Emergency  
21 Medical Services (EMS) Systems Act.

22 "Emergency medical professional" includes licensed  
23 physicians, and any emergency medical technician-basic,  
24 emergency medical technician-intermediate, emergency medical

1 technician-paramedic, trauma nurse specialist, and  
2 pre-hospital RN, as defined in the Emergency Medical Services  
3 (EMS) Systems Act.

4 "Fire station" means a fire station within the State with  
5 at least one staff person ~~that is staffed with at least one~~  
6 ~~full-time emergency medical professional.~~

7 "Hospital" has the same meaning as in the Hospital  
8 Licensing Act.

9 "Legal custody" means the relationship created by a court  
10 order in the best interest of a newborn infant that imposes on  
11 the infant's custodian the responsibility of physical  
12 possession of the infant, the duty to protect, train, and  
13 discipline the infant, and the duty to provide the infant with  
14 food, shelter, education, and medical care, except as these are  
15 limited by parental rights and responsibilities.

16 "Neglected child" has the same meaning as in the Abused and  
17 Neglected Child Reporting Act.

18 "Newborn infant" means a child who a licensed physician  
19 reasonably believes is 30 ~~7~~ days old or less at the time the  
20 child is initially relinquished to a hospital, police station,  
21 fire station, or emergency medical facility, and who is not an  
22 abused or a neglected child.

23 "Police station" means a municipal police station or a  
24 county sheriff's office.

25 "Relinquish" means to bring a newborn infant, who a  
26 licensed physician reasonably believes is 30 ~~7~~ days old or

1 less, to a hospital, police station, fire station, or emergency  
2 medical facility and to leave the infant with personnel of the  
3 facility, if the person leaving the infant does not express an  
4 intent to return for the infant or states that he or she will  
5 not return for the infant. In the case of a mother who gives  
6 birth to an infant in a hospital, the mother may relinquish her  
7 newborn infant by expressing an intent to do so under this Act  
8 ~~mother's act of leaving that newborn infant at the hospital (i)~~  
9 ~~without expressing an intent to return for the infant or (ii)~~  
10 ~~stating that she will not return for the infant is not a~~  
11 ~~"relinquishment" under this Act.~~

12 "Safe haven" means a hospital, fire station, police  
13 station, or emergency medical facility at which a newborn  
14 infant may be relinquished under this Act.

15 "Temporary protective custody" means the temporary  
16 placement of a newborn infant within a hospital or other  
17 medical facility out of the custody of the infant's parent.

18 (Source: P.A. 93-820, eff. 7-27-04; 94-941, eff. 6-26-06.)

19 (325 ILCS 2/30)

20 Sec. 30. Anonymity of relinquishing person. If there is no  
21 evidence of abuse or neglect of a relinquished newborn infant,  
22 the relinquishing person has the right to remain anonymous and  
23 to leave the hospital, police station, fire station, or  
24 emergency medical facility at any time and not be pursued or  
25 followed. Before the relinquishing person leaves the hospital,

1 police station, fire station, or emergency medical facility,  
2 the hospital, police station, fire station, or emergency  
3 medical facility personnel shall (i) verbally inform the  
4 relinquishing person that by relinquishing the child  
5 anonymously, he or she will have to petition the court if he or  
6 she desires to prevent the termination of parental rights and  
7 regain custody of the child and (ii) shall offer the  
8 relinquishing person the information packet described in  
9 Section 35 of this Act. However, nothing in this Act shall be  
10 construed as precluding the relinquishing person from  
11 providing his or her identity or completing the application  
12 forms for the Illinois Adoption Registry and Medical  
13 Information Exchange and requesting that the hospital, police  
14 station, fire station, or emergency medical facility forward  
15 those forms to the Illinois Adoption Registry and Medical  
16 Information Exchange. Any public reporting of information  
17 required in connection with the relinquishment of a newborn  
18 infant, including, but not limited to, reporting required under  
19 the Vital Records Act or under any other law, shall identify  
20 the mother of the relinquished newborn infant and the infant as  
21 "unknown".

22 (Source: P.A. 92-408, eff. 8-17-01; 92-432, eff. 8-17-01;  
23 93-820, eff. 7-27-04.)

24 (325 ILCS 2/35)

25 Sec. 35. Information for relinquishing person. A hospital,

1 police station, fire station, or emergency medical facility  
2 that receives a newborn infant relinquished in accordance with  
3 this Act must offer an information packet, including the  
4 Illinois Safe Haven Information Form, to the relinquishing  
5 person and, if possible, must clearly inform the relinquishing  
6 person that his or her acceptance of the information is  
7 completely voluntary, ~~that registration with the Illinois~~  
8 ~~Adoption Registry and Medical Information Exchange is~~  
9 ~~voluntary, that the person will remain anonymous if he or she~~  
10 ~~completes a Denial of Information Exchange, and that the person~~  
11 ~~has the option to provide medical information only and still~~  
12 ~~remain anonymous.~~ The information packet must include all of  
13 the following:

14 (1) The Illinois Safe Haven Information Form. ~~All~~  
15 ~~Illinois Adoption Registry and Medical Information~~  
16 ~~Exchange application forms, including the Medical~~  
17 ~~Information Exchange Questionnaire and the web site~~  
18 ~~address and toll free phone number of the Registry.~~

19 (2) A summary of this Act. ~~Written notice of the~~  
20 ~~following:~~

21 ~~(A) No sooner than 60 days following the date of~~  
22 ~~the initial relinquishment of the infant to a hospital,~~  
23 ~~police station, fire station, or emergency medical~~  
24 ~~facility, the child placing agency or the Department~~  
25 ~~will commence proceedings for the termination of~~  
26 ~~parental rights and placement of the infant for~~

1           ~~adoption.~~

2           ~~(B) Failure of a parent of the infant to contact~~  
3           ~~the Department and petition for the return of custody~~  
4           ~~of the infant before termination of parental rights~~  
5           ~~bars any future action asserting legal rights with~~  
6           ~~respect to the infant.~~

7           (3) A resource list of providers of counseling services  
8           including grief counseling, pregnancy counseling, and  
9           counseling regarding adoption and other available options  
10          for placement of the infant.

11          The Department shall make the Illinois Safe Haven  
12          Information Form and the summary of this Act available to each  
13          safe haven located in this State. The Illinois Safe Haven  
14          Information Form and the summary of this Act offered by a safe  
15          haven to a relinquishing person must be substantially the same  
16          as those made available by the Department. If a person  
17          relinquishes a newborn infant to a hospital and the hospital  
18          receives a partially or completely filled-out Illinois Safe  
19          Haven Information Form from that person at the time the newborn  
20          infant is relinquished, the hospital must provide a copy of the  
21          form to the child-placing agency into whose custody the  
22          hospital discharges the infant in accordance with Section 20. A  
23          safe haven other than a hospital that receives, at the time a  
24          newborn infant is relinquished, a partially or completely  
25          filled-out Illinois Safe Haven Information Form from the person  
26          relinquishing the newborn infant must give the form to the

1 hospital to which the infant is transported in accordance with  
2 Section 20, which must in turn provide a copy of the form to  
3 the child-placing agency into whose custody the hospital  
4 discharges the infant in accordance with Section 20. ~~Upon~~  
5 ~~request, the Department of Public Health shall provide the~~  
6 ~~application forms for the Illinois Adoption Registry and~~  
7 ~~Medical Information Exchange to hospitals, police stations,~~  
8 ~~fire stations, and emergency medical facilities.~~

9 (Source: P.A. 92-408, eff. 8-17-01; 92-432, eff. 8-17-01;  
10 93-820, eff. 7-27-04.)

11 (325 ILCS 2/45)

12 Sec. 45. Medical assistance. Notwithstanding any other  
13 provision of law, a newborn infant relinquished in accordance  
14 with this Act, and the infant's mother, shall be deemed  
15 eligible for medical assistance under the Illinois Public Aid  
16 Code, and a hospital providing medical services to such an  
17 infant or to the infant's mother, or to both, shall be  
18 reimbursed for those services in accordance with the payment  
19 methodologies authorized under that Code. In addition, for any  
20 day that a hospital has custody of a newborn infant  
21 relinquished in accordance with this Act and the infant does  
22 not require medically necessary care, the hospital shall be  
23 reimbursed by the Department of Healthcare and Family Services  
24 at the general acute care per diem rate, in accordance with 89  
25 Ill. Adm. Code 148.270(c).

1 (Source: P.A. 95-331, eff. 8-21-07.)

2 (325 ILCS 2/50)

3 Sec. 50. Child-placing agency procedures.

4 (a) The Department's State Central Registry must maintain a  
5 list of licensed child-placing agencies willing to take legal  
6 custody of newborn infants relinquished in accordance with this  
7 Act. The child-placing agencies on the list must be contacted  
8 by the Department on a rotating basis upon notice from a  
9 hospital that a newborn infant has been relinquished in  
10 accordance with this Act. The Department shall notify a  
11 hospital to whom a newborn infant has been relinquished of the  
12 name of the child-placing agency authorized by the Department  
13 to take custody of the infant from the hospital.

14 (b) Upon notice from the Department that a newborn infant  
15 has been relinquished in accordance with this Act, a  
16 child-placing agency must accept the newborn infant if the  
17 agency has the accommodations to do so. The child-placing  
18 agency must seek an order for legal custody of the infant upon  
19 its acceptance of the infant.

20 (c) Within 3 business days after assuming physical custody  
21 of the infant, the child-placing agency shall file a petition  
22 in the division of the circuit court in which petitions for  
23 adoption would normally be heard. The petition shall allege  
24 that the newborn infant has been relinquished in accordance  
25 with this Act and shall state that the child-placing agency

1 intends to place the infant in an adoptive home.

2 (d) If no licensed child-placing agency is able to accept  
3 the relinquished newborn infant, then the Department must  
4 assume responsibility for the infant as soon as practicable.

5 (e) A custody order issued under subsection (b) shall  
6 remain in effect until a final adoption order based on the  
7 relinquished newborn infant's best interests is issued in  
8 accordance with this Act and the Adoption Act.

9 (f) When possible, the child-placing agency must place a  
10 relinquished newborn infant in a prospective adoptive home.

11 (g) The Department or child-placing agency must initiate  
12 proceedings to (i) terminate the parental rights of the  
13 relinquished newborn infant's known or unknown parents, (ii)  
14 appoint a guardian for the infant, and (iii) obtain consent to  
15 the infant's adoption in accordance with this Act no sooner  
16 than 60 days following the date of the initial relinquishment  
17 of the infant to the hospital, police station, fire station, or  
18 emergency medical facility.

19 (h) Before filing a petition for termination of parental  
20 rights, the Department or child-placing agency must do the  
21 following:

22 (1) Search its Putative Father Registry for the purpose  
23 of determining the identity and location of the putative  
24 father of the relinquished newborn infant who is, or is  
25 expected to be, the subject of an adoption proceeding, in  
26 order to provide notice of the proceeding to the putative

1 father. At least one search of the Registry must be  
2 conducted, at least 30 days after the relinquished newborn  
3 infant's estimated date of birth; earlier searches may be  
4 conducted, however. Notice to any potential putative  
5 father discovered in a search of the Registry according to  
6 the estimated age of the relinquished newborn infant must  
7 be in accordance with Section 12a of the Adoption Act.

8 (2) Verify with law enforcement officials, using the  
9 National Crime Information Center, that the relinquished  
10 newborn infant is not a missing child, unless the  
11 relinquished newborn infant was born in the hospital and  
12 was relinquished to the hospital without having left the  
13 hospital.

14 (Source: P.A. 92-408, eff. 8-17-01; 92-432, eff. 8-17-01;  
15 93-820, eff. 7-27-04.)

1 INDEX

2 Statutes amended in order of appearance

3 305 ILCS 5/5-2 from Ch. 23, par. 5-2

4 325 ILCS 2/10

5 325 ILCS 2/30

6 325 ILCS 2/35

7 325 ILCS 2/45

8 325 ILCS 2/50