

By Mr. Flynn of Hanover, petition of William J. Flynn, Jr., for legislation to protect the integrity of an adopting family and safeguarding such family's right to privacy and confidentiality. The Judiciary.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety.

AN ACT PROTECTING THE INTEGRITY OF AN ADOPTING FAMILY AND SAFEGUARDING THE FAMILY IN ITS RIGHT TO PRIVACY AND CONFIDENTIALITY.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 1 of Chapter 210 of the General Laws is hereby amended
2 by adding after said section the following new section: —
3 Section 1A. Notwithstanding any other provision of the
4 General Laws the Commonwealth is dedicated to the preserva-
5 tion of the integrity of the adoptive family and that each adop-
6 tive child shall, upon adoption, be completely incorporated into
7 the family circle. The Department of Social Services and any
8 agency licensed by the Commonwealth to place children for adop-
9 tion shall not adopt any rule or procedure or perform any act in
10 connection with adopting parents which may place any condition,
11 restriction or limitation upon their acceptance of a child for adop-
12 tion which would interfere with the integrity or unity of said
13 family. The adoptive parents and the child shall enjoy complete
14 and absolute privacy and confidentiality and be free of any fear
15 that in future years their family unity, integrity and privacy might
16 be disturbed in any way. It is in the best interest of the child of
17 the adoptive family that the integrity of the family be preserved.
18 Any agency licensed to place children for adoption that violates
19 the provisions of this section shall have its license revoked upon
20 any such finding and shall be precluded from obtaining a renewal
21 of that license for a period of five years from the date of revoca-
22 tion. Any person aggrieved by any act of any agency of the

23 Commonwealth or any agency so licensed as an adoptive place-
24 ment agency may petition for the revocation of that license to the
25 secretary of the Department of Social Services who shall hold a
26 hearing upon said complaint within sixty days from the date said
27 complaint has been filed and said secretary shall render a find-
28 ing concerning revocation within ten days of the commencement
29 of said hearing. Either of the parties to that proceeding shall be
30 entitled to appeal a decision adverse to them to the Probate and
31 Family Court Department or to the Superior Court Department
32 of the Trial Court.