**Section 309.40 Adoption Listing Services**

a) The Department or its agent shall maintain coded listings that include the names and addresses of persons who have applied for and have been approved for the adoption of a child. The listings shall also include the names of children for whom:

1) the Department has determined, after an internal legal screening, that adoption is the appropriate permanency plan for the child; and

2) two weeks have passed since the internal legal screening determination and an adoptive resource has not yet been identified for the child.

b) The purpose of the adoption listing service is to enable caseworkers to aggressively identify adoptive parents and children for whom adoption is in their best interests.

c) When it can be demonstrated that it would be contrary to the child's best interests to list the child due to the child's mental health problems, the child shall not be listed. This exception must be reviewed and reapproved by the Department's Regional Administrator every six months.

d) Licensed Illinois adoption agencies that provide adoption services on behalf of children for whom the Department is legally responsible shall submit to the Department or its agent, for inclusion in the coded listing, the names and addresses of all persons who have applied and been approved for adoption of a child, who are waiting for a child and who have authorized the listing. In addition, licensed adoption agencies shall also submit to the Department or its agent for inclusion in the coded listing the names of such children who have not been placed for adoption.

e) The Department or its agent shall make the coded listings available, without charge, to every licensed adoption agency in the State in a format that, in accordance with 89 Ill. Adm. Code 431, Confidentiality of Personal Information of Persons Served by the Department of Children and Family Services, protects the confidentiality of the persons seeking to adopt and of the child not yet placed for adoption.

f) Information regarding the child shall be made available as follows:

1) Information that is not included in the listing, but is provided to licensed adoption agencies, shall include specific personal information about the child, including, but not limited to, if applicable, the child's mental health history, health history, HIV test results or diagnosis of AIDS, or parental alcohol or substance abuse history.

2) Information provided to the general public shall be limited to general information about the child such as the child's personality, likes, dislikes, interests and activities. More specific personal information shall only be provided to persons who have expressed an interest in a specific child and are seriously considering adopting the child.

(Source: Amended at 43 Ill. Reg. 12076, effective October 10, 2019)