§ 372-f. Statewide adoption service. 1. There shall be established by the department either directly or through purchase a statewide adoption service which shall serve all authorized agencies in the state as a means of recruiting adoptive families for children who have been legally freed for adoption but have remained in foster care for a period of three months or more. Such period in foster care shall include any period of foster care immediately preceding the date on which the child was legally freed for adoption. The service shall provide descriptions and photographs of such children, and shall also provide any other information deemed useful in the recruitment of adoptive families for each such child. The service shall be updated monthly.

2. The service may be organized on a regional basis, but shall be provided to all authorized child caring agencies and in accordance with the regulations of the department, to all appropriate citizen groups and other organizations and associations interested in children's services.

3. The department shall promulgate regulations governing the operations of the adoption service.

4. (a) Except as set forth in paragraph (b) of this subdivision, each authorized agency shall refer to the adoption service, accompanied by a photograph and description, as shall be required by departmental regulations, each child in its care who has been legally freed for adoption and who has been in foster care for the period specified in subdivision one of this section and for whom no adoptive home has been found. If the child is fourteen years or older and will not consent to his or her adoption, such child need not be listed on the service. Such children's names shall be forwarded to the department by the authorized agency, with reference to the specific reason by which the child was not placed on the service. The department shall establish procedures for periodic review of the status of such children. If the department determines that adoption would be appropriate for a child not listed with the service, the agency shall forthwith list the child. Each authorized agency may voluntarily refer any child who has been legally freed for adoption. In addition, upon referral of a child by an authorized agency, the department may determine that the listing of a

child with the service is not in the child's best interest where: the child has been placed with a relative within the third degree of consanguinity of the parents of the child and the child does not have a permanency goal of adoption, or the child is not emotionally prepared for an adoptive placement. Any child who is not listed based on one of these factors and who is not placed in an adoptive placement within six months of referral to the department must be listed with the service at the end of the six month period in accordance with regulations of the department except where the child is placed with a relative within the third degree of consanguinity of the parents of the child, in which case the department may determine that the listing continues to be contrary to the child's best interests. The department shall establish procedures for the periodic review of the status of such children.

(b) An authorized agency shall not refer to the adoption service a child in its care who has been legally freed for adoption when the child has been placed with a foster parent who has expressed, in writing, an interest in adopting the child; provided, however, that such child shall be referred to the adoption service in accordance with paragraph (a) of this subdivision where the foster parent has withdrawn interest in adopting the child or has been disapproved as an adoptive resource for the child. An authorized agency shall not refer to the adoption service a child in its care who has been legally freed for adoption where the agency has identified two or more potential placements for the child; provided, however, that such child shall be referred to the adoption service in accordance with paragraph (a) of this subdivision when such child has not been placed into an adoptive home within nine months of having been freed for adoption.