



Understanding Infant Adoption 7

Kansas Adoption Guide for Healthcare Providers & Staff

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Disclaimer: This resource guide is intended for informational purposes only and does not constitute legal advice. It is not a substitute for consultation with hospital legal counsel or a licensed adoption attorney. Adoption laws and procedures vary by jurisdiction and are subject to change. Healthcare providers and staff are strongly encouraged to seek professional legal guidance to ensure compliance with applicable laws and regulations.

Introduction to Adoption

What is Adoption?

Adoption is a legal process in which biological parents (also referred to herein as “placing parents” or “birth parents”) relinquish their parental rights to their child, allowing the child to be placed in the care of adoptive parents. However, adoption is more than just a legal agreement; it is a life-altering experience that reflects a commitment to a child's love, care, and well-being.

Healthcare providers should have a basic understanding of the three main types of adoption to offer informed support for their patients:

- **Private Adoption:** This is a direct arrangement between birth parents and adoptive parents, often through a licensed adoption agency or attorney. In a private adoption, the birth parents have voluntarily relinquished their parental rights to the child, and the child is placed directly into the legal and physical custody of the adoptive parents. Most private adoptions are “open adoptions,” meaning there will be ongoing contact between the birth parents and adoptive parents. Private adoption is the most common type of adoption that healthcare providers encounter when working in mother-baby and neonatal units.
- **Adoption from Foster Care:** This occurs when a child in state foster care is legally available for adoption after a court has terminated the parental rights of the birth parents. Foster care adoptions often involve older children. Every state has laws and regulations governing foster care and adoption, which are

managed by the state's public child welfare agency. If the child is placed for adoption in another state, compliance with the Interstate Compact on the Placement of Children (ICPC) is required.

- **Intercountry Adoption:** The process by which a child born in one country is adopted by a family in another country. The State Department serves as the oversight authority for intercountry adoption in the United States.

For expectant mothers, the adoption journey is filled with complex emotions and culminates in a life-changing decision. The private adoption process allows mothers to create an adoption plan at any point during their pregnancy or after giving birth. In this journey, healthcare providers play a crucial role, providing neutral care and support, facilitating fully informed decision-making, and making ethical referrals to adoption providers. Your role in this process is integral in ensuring the well-being of all patients considering this option.

Important Terminology

The biological parent signs adoption consent or relinquishment, authorizing the court to terminate her parental rights:

- Before adoption consents are signed, refer to the biological parent as an **“expectant parent”** or **“parent.”**
- A parent making an adoption plan for their child is called a **“placing parent.”**
- After adoption consents are signed, refer to the biological parent as a **“birth parent.”**

Support for Patients Considering Adoption

Expectant parents should have access to a variety of support resources from the moment they begin considering adoption through the completion of the process and beyond. Below is a summary of some of the available services and providers that patients can access to find appropriate support.

➔ Pregnancy Options Counseling

Many non-profit organizations in Kansas offer pregnancy options counseling for expectant mothers. The purpose of this counseling is to help women consider their available options during pregnancy. It is important to note that not all pregnancy centers provide the same services. For instance, some pregnancy resource centers do not offer information or referrals for abortion. However, most centers typically provide services such as pregnancy testing, ultrasounds, maternity clothes, parenting assistance, resource referrals, parenting classes, and counseling. Generally, these organizations do not charge fees unless they also operate a licensed medical clinic on site.

➔ Ethical & Effective Referrals

Empowering patients in their decision-making process is key. When making a referral to an adoption provider, it's important to present at least three options. This allows the patient to understand the range of services available and choose the one that best suits her needs. See the Understanding Infant Adoption curriculum handouts [Questions for Healthcare Practitioners to Ask Adoption Agencies and/or Attorneys](#) and [Questions for Patients to Ask Adoption Agencies and/or Attorneys](#) for suggestions.

➔ Choosing an Adoption Provider

The Internet is full of adoption providers offering help to expectant parents, but not all of these entities have your patients' best interests at heart. It's essential to understand the different types of adoption professionals available:

- **Licensed Adoption Agencies:** Adoption agencies are licensed by the state to provide adoption services to expectant/birth parents and adoptive families. These services can include social work, home studies, adoption education, pregnancy counseling, adoption matching, and post-placement care. Agencies work

to ensure that social and emotional challenges are addressed through social work and counseling, while also ensuring compliance with adoption rules and regulations.

- **Licensed Adoption Attorneys:** Attorneys play a vital role in the adoption process. Ideally, the adoptive parents should have their own attorney, and the expectant or birth parents should be represented by a separate attorney. This ensures that everyone's rights are protected and that there are no conflicts of interest. Attorneys in Kansas are licensed by the Kansas State Bar Association.
- **Unlicensed Adoption Intermediaries:** Some adoption providers are not licensed to offer adoption services. Unlicensed adoption intermediaries are also referred to as “advertisers,” “matchmakers,” “brokers,” or “marketers.” They solicit expectant and adoptive parents for their services through online ads and other marketing tactics and collect substantial matching fees from hopeful adoptive parents. Working with an unlicensed adoption provider can complicate the process for expectant mothers trying to find suitable adoptive parents for their children and can prevent them from getting adequate support and guidance. It is very appropriate to ask an agency to see a copy of their state-issued child-placing agency license.

More than half of the states in the U.S. have laws prohibiting the use of unlicensed adoption intermediaries, but such laws are frequently overlooked. See [Kansas Adoption Laws](#), below, for further information.

- **Out-of-State Adoption Providers:** With the increasing use of the Internet in the adoption process, patients may choose to work with adoption providers located outside of Kansas. It's crucial to ensure these out-of-state providers are licensed to provide adoption services and that they work cooperatively with a Kansas-licensed adoption agency and attorney to ensure that the placing parents receive local support before, during, and after adoption. This not only ensures legal compliance but also the safety and well-being of the patient and the child.

➔ Choosing Prospective Adoptive Parents

The process of selecting adoptive parents requires careful consideration. Expectant parents often have a specific vision of the type of family they wish to find for their child. A Kansas-licensed child-placing agency or attorney can assist expectant parents in identifying potential adoptive families that align with their desired characteristics. Once the expectant parent has reviewed profiles of suitable prospective adoptive parents, she should have the opportunity to meet with them in person whenever possible before making a final decision.

Expectant parents should create a list of questions to ask prospective adoptive parents to ensure they find the right family for their child. However, compiling this list can be overwhelming. See the handout [Questions for Patients to Ask Adoption Agencies and/or Attorneys](#) for suggestions.

Support After Adoption

Birth parents often experience grief and a range of intense emotional and psychological effects after placing a child for adoption. It is important to provide them with mental health support during this time. Support following adoption can take various forms, including individual counseling, group therapy, and support groups.

Kansas Adoption Laws

Adoption is a complex legal process. Violating state laws can jeopardize the safety of all parties involved, as well as the child's permanency. Below are frequently asked questions regarding Kansas adoption laws.

Does Kansas allow independent (non-agency) adoptions?

Yes. Kansas does allow independent (non-agency) adoptions, often referred to as "private" or "independent" adoptions. In these cases, the adoption is arranged directly between the placing parents and the adoptive parents, typically with the assistance of an attorney rather than a licensed adoption agency.

Does Kansas allow unlicensed adoption facilitators?

The laws in Kansas do not address this issue.

Does Kansas require that placing parents have separate legal representation?

No, unless the placing parent is a minor. [Kan. Stat. Ann. § 59-2115](#)

Are adoptive parents allowed to pay an expectant mother's living expenses?

Yes. Adoptive parents may pay the expectant mother's reasonable living, medical, and legal expenses. [Kan. Stat. Ann. § 59-2121\(a\) \(2024\)](#)

When can the placing parents sign the adoption consent or relinquishment?

Placing parents are allowed to sign adoption consents no earlier than twelve hours after the child's birth. [Kan. Stat. Ann. § 59-2114 \(2024\)](#)

Can placing parents who have consented to an adoption change their mind and revoke their consent?

No. The consent is final when executed, unless the consenting party, prior to the final decree of adoption, alleges and proves by clear and convincing evidence that the consent was not freely and voluntarily given. [Kan. Stat. Ann. § 59-2114 \(2024\)](#)

Are post-adoption contact agreements legally binding in Kansas?

The laws in Kansas do not address this issue.

What legal rights do birth fathers have in a Kansas adoption?

In all states, including Kansas, birth fathers' legal rights in adoption depend on various factors, such as their legal relationship with the child's mother and their actions before and after being notified of the adoption proceedings. Birth fathers who wish to understand and enforce their legal rights should consult with a Kansas adoption attorney for guidance.

What to do when you suspect a violation in your hospital?

If you witness violations of Kansas law in your hospital or healthcare clinic, you should immediately file a report. Where you file the report will depend on the type of entity or individual who has committed the offense. If you are witnessing repeated offenses, alert your healthcare administration office.

| Type of Entity | Where to Report | Contact Information |
|--------------------------|--|--|
| Licensed Adoption Agency | Department for Children and Families, Foster Care Licensing Division | Contact list by region: https://www.dcf.ks.gov/services/PPS/FCL/Pages/Licensing-Updates.aspx |
| Licensed Attorney | Kansas Judicial Branch | https://www.kscourts.gov/Public/File-a-Complaint |

Child Protection in Kansas

Among the mandated reporters in Kansas are:

- Persons providing medical care or treatment, including persons licensed to practice the healing arts, dentistry, and optometry; persons engaged in postgraduate training programs approved by the State Board of Healing Arts; licensed professional or practical nurses; and chief administrative officers of medical care facilities
- Firefighters, emergency medical services personnel, law enforcement officers, juvenile intake and assessment workers, court services officers, community corrections officers, case managers, and mediators

[Kan. Stat. Ann. § 38-2223 \(2024\)](#)

Child Abuse, Neglect, and Exploitation Definitions under Kansas Law

- A **Child in Need of Care** means “a person less than 18 years of age at the time of filing of the petition or issuance of an ex parte protective custody order pursuant to [K.S.A. 38-2242](#), and amendments thereto.” [Kan. Stat. Ann. § 38-2202 \(2024\)](#)
- **Physical, Mental, or Emotional Abuse** means the infliction of physical, mental, or emotional harm, or the causing of a deterioration of a child, and may include, but shall not be limited to, maltreatment or exploiting a child to the extent that the child's health or emotional well-being is endangered. [Kan. Stat. Ann. § 38-2202 \(2024\)](#)
- **Harm** means physical or psychological injury or damage. [Kan. Stat. Ann. § 38-2202 \(2024\)](#)
- **Neglect** means acts or omissions by a parent, guardian, or person responsible for the care of a child that results in harm to a child or presents a likelihood of harm, and the acts or omissions are not due solely to the lack of financial means of the child's parents or other custodian. 'Neglect' may include, but shall not be limited to, the following:
 - Failure to provide the child with food, clothing, or shelter necessary to sustain life or health
 - Failure to provide adequate supervision of a child or to remove a child from a situation that requires judgment or actions beyond the child's level of maturity, physical condition, or mental abilities and that results in bodily injury or a likelihood of harm to the child
 - Failure to use resources available to treat a diagnosed medical condition if such treatment will make a child substantially more comfortable, reduce pain and suffering, or correct or substantially diminish a crippling condition from worsening

[Kan. Stat. Ann. § 38-2202 \(2024\)](#)

Kansas Protection Report Center Contact Information

Reports of Abuse, Neglect and Exploitation of an Adult or Child may be made to the Kansas Protection Report Center:

- **Kansas Guide to Reporting Child Abuse:** <https://www.dcf.ks.gov/services/pps/documents/guidetoreportingabuseandneglect.pdf>
- **Web Intake Information:** <https://www.dcf.ks.gov/services/pps/pages/kips/kipswebintake.aspx>
- **Hotline:** (800) 922-5330

Safe Haven/Safe Surrender Laws and Process

Safe Haven/Safe Surrender laws are designed to prevent the abandonment and endangerment of infants by providing a safe and legal way for parents to relinquish unharmed newborns. These laws allow parents to safely surrender their infant directly to a designated provider, while generally protecting them from criminal liability and prosecution. Additionally, these laws ensure that the relinquishing parent can remain anonymous. It is important to note that Safe Haven/Safe Surrender laws are intended for use in extreme circumstances and are not a substitute for the resources provided in the public child welfare system or private adoption processes.

- **For Immediate Assistance:** Call or text the 24/7 Safe Haven Crisis Helpline at 1-888-510-BABY (2229)
- **Safe Haven Kansas Information:** <https://www.dcf.ks.gov/services/PPS/Pages/Newborn-Infant-Protection.aspx>

What are the age restrictions for a Safe Haven/Safe Surrender relinquishment in Kansas?

An infant who is 60 days old or younger may be relinquished. [*Kan. Stat. Ann. § 38-2282 \(2024\)*](#)

Who can relinquish the infant under Safe Haven/Safe Surrender laws?

A parent or other person having lawful custody of an infant who has not suffered bodily harm may surrender physical custody of the infant. [*Kan. Stat. Ann. § 38-2282 \(2024\)*](#)

Who are the designated Safe Haven/Safe Surrender providers?

Physical custody of the infant may be surrendered to any employee who is on duty at a fire station, city or county health department, or medical care facility. [*Kan. Stat. Ann. § 38-2282 \(2024\)*](#)

Putative Father Registry

A putative father is a person who claims to be the father of a child and wants to establish paternity. The purpose of a registry is to allow an unmarried father of a born or unborn child to register his name so he will be notified before the child is placed for adoption. The father does not have to be listed on the birth certificate to register.

To place your name on the Registry, contact:

Kansas Putative Father Registry
Kansas Department of Social & Rehab Services
PO Box 497
Topeka, KS 66601-0497
Phone: (785) 296-3237

More information about establishing paternity in Kansas is available in an online brochure available at <https://www.dcf.ks.gov/services/CSS/Documents/CSS%20Establishing%20Paternity%20Brochure.pdf>.

Kansas Adoption Service Providers

Licensed Private Adoption Agencies

In Kansas, adoption agencies are licensed by the state Department for Children and Families, Foster Care Licensing Division. The following licensed agencies focus on domestic infant adoption with counseling and/or services available for expectant parents.

* Denotes a for-profit agency.

Contact ascc@adoptioncouncil.org with any additions, corrections, or updates.

- **Adoption & Beyond, Inc.**
16236 Metcalf Ave
Overland Park, KS 66085
Phone: (913) 381-6919
adopt@adoption-beyond.org
<https://adoption-beyond.org/>
- **Adoption Centre of Kansas***
1831 Woodrow Ave
Wichita, KS 67203
Phone: (316) 265-5289
Fax: (316) 265-3953
Contact Form: <https://adoptionsfromtheheartland.com/Adoption%20Centre%20Contact1.php>
<https://adoptionsfromtheheartland.com/>
- **Adoption Choices of Kansas***
11924 W Taft St. Suite 104
Wichita, KS 67209
Phone: (316) 391-4904
Contact Form: <https://www.adoptionchoicesofkansas.com/contact-us/>
<https://www.adoptionchoicesofkansas.com/>
- **American Adoptions**
7500 W 110th St Ste 500
Overland Park, KS 66210
Phone: (913) 383-9804
<https://www.americanadoptions.com/>
- **Catholic Charities of Northeast Kansas**
9720 W 87th St
Overland Park, KS 66212
Phone: (913) 433-2063
pregnancy@catholiccharitiesks.org
<https://catholiccharitiesks.org/>
- **Catholic Charities of Northern Kansas, Inc.**
PO Box 1366
Salina, KS 67402-1366
Phone: (785) 825-0208
Contact Form: <https://ccnks.org/contact>
<https://ccnks.org/>
- **Catholic Charities of Southwest Kansas**
804 N 2nd Ave
Dodge City, KS 67801
Phone: (620) 227-1562
Fax: (620) 227-1572
afalcon@catholiccharitiesswks.org
<https://catholiccharitiesswks.org/>

- **Christian Family Services of the Midwest, Inc.**

10100 W 87th St Ste 111
Overland Park, KS 66212
Phone: (913) 383-3337
susan@cfskc.org
<https://adoptionsbycfs.com/>

- **Lifeline Children's Services**

2037 SW McAlister Ave
Topeka, KS 66604
Phone: (785) 249-6130
info@lifelinechild.org
<https://optionsinadoption.com/>

- **Shape of My Heart Adoptions, Inc.**

800 SW Jackson St Ste 618, #556
Topeka, KS 66612
Phone: (785) 409-4693
Lisa@shapeofmyheart.co
<https://www.shapeofmyheart.co/>

- **Zoe's House Adoption Agency**

13200 Metcalf Ave Ste 100
Overland Park, KS 66213
Phone: (913) 233-4996
info@zoeshouseadoptions.com
<https://zoeshouseadoptions.com/>

Licensed Adoption Attorneys

This listing reflects the current Kansas licensed fellows of the [Academy of Adoption & Assisted Reproduction Attorneys](#). This list may not be representative of all attorneys in the state working in the field of adoption law. Some attorneys hold licensure in more than one state.

Contact ascc@adoptioncouncil.org with any additions, corrections, or updates.

- **Martin W. Bauer**

645 E Douglas Ste 100
Wichita, KS 67202-2212
Phone: (316) 265-9311
Fax: (316) 265-2955
mwbauer@martinpringle.com
<http://www.martinpringle.com/>

- **Michael J. Belfonte**

14801 E 42nd St S
Independence, MO 64055
Phone: (816) 842-3580
Fax: (816) 842-7875
mikebelfonte@msn.com
<https://michaelbelfonte.com/>

- **Jill Bremyer**
P.O. Box 443
McPherson, KS 67460
Phone: (620) 755-6904
- **Amanda Marino**
645 E Douglas Ste 100
Wichita, KS 67202-2212
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<http://www.martinpringle.com/>
- **Megan Monsour**
1617 N Waterfront Pkwy #400
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mmonsour@hinklaw.com
<https://www.hinklaw.com/>
- **Karen Rosenberg**
4520 Main St Ste 700
Kansas City, MO 64111
Phone: (816) 756-5800
krosenberg@knmlaw.com
<https://knmlaw.com/>
- **Joanna Beck Wilkinson**
5211 Westminster Pl
St. Louis, MO 63108
Phone: (573) 446-7554
joanna@marybecklaw.com
<https://marybecklaw.com/>
- **Lisa Williams-McCallum**
1430 SW Woodhull St #4962
Topeka, KS 66604
Phone: (785) 217-4603
lisa@theadoptiongroup.com
<https://www.theadoptiongroup.com/>

Resources

- [Academy of Adoption & Assisted Reproduction Attorneys](#)
- [AdoptChange](#)
- [Child Welfare Information Gateway: State, Territory, and Tribal Resources](#)
- [Kansas Department for Children and Families](#)
- [Kansas State Legislature - 2024 Statute](#)

- [Kansas Judicial Branch – File a Complaint](#)

About the Adoption-Sensitive Clinical Care Project

It is critical that expectant parents who may wish to place a child for adoption have access to appropriately trained staff and comprehensive supports throughout the adoption process. The federally-funded Adoption-Sensitive Clinical Care Project and the Understanding Infant Adoption curriculum are being administered by [National Council For Adoption](#) (NCFA), [The Adoption & Foster Care Clinic](#), [Spaulding for Children](#), and [University of Washington School of Social Work](#) for the project period 2024-2026.

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