



Understanding Infant Adoption 7

Tennessee 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 where 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 Tennessee 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 Tennessee are licensed by the Tennessee 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. Tennessee does not permit unlicensed adoption facilitators. Only licensed child placement agencies or licensed clinical social workers shall engage in the placement of children for adoption. See [Tennessee 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 Tennessee. It's crucial to ensure these out-of-state providers are licensed to provide adoption services and that they work cooperatively with a Tennessee-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 Tennessee-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.

Tennessee 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 Tennessee's adoption laws.

Does Tennessee allow independent (non-agency) adoptions?

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

Does Tennessee allow unlicensed adoption facilitators?

No. Tennessee does not permit unlicensed adoption facilitators. Only licensed child placement agencies or licensed clinical social workers shall engage in the placement of children for adoption. [Tenn. Code Ann. §§ 36-1-108\(a\) \(2024\)](#)

A violation of this law is a Class C felony. [Tenn. Code Ann. § 36-1-109 \(2024\)](#)

Does Tennessee require that placing parents have separate legal representation?

No. [Tenn. Code Ann. § 36-1-111\(l\)\(2\) \(2024\)](#)

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

Yes. Adoptive parents are allowed to pay reasonable fees for hospital or medical services for the birth mother, as well as counseling fees, legal services related to the adoption, actual expenses for housing, food, maternity clothing, child's clothing, utilities or transportation for a reasonable period not to exceed 90 days prior to or 60 days after the birth or surrender or parental consent to the adoption of the child. [Tenn. Code Ann. § 36-1-109 \(2024\)](#)

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

The consent cannot be signed until three calendar days following the child's birthday has passed. [Tenn. Code § 36-1-111 \(2024\)](#)

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

In an agency adoption, the surrender may be revoked at any time within three (3) calendar days of the date it is signed. In a non-agency adoption, the parental consent may be revoked at any time prior to the entry of an order of confirmation by the court. [Tenn. Code § 36-1-112 \(2024\)](#)

Are post-adoption contact agreements legally binding in Tennessee?

Yes. [Tenn. Code Ann. § 36-1-145](#)

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

In all states, including Tennessee, 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 Tennessee adoption attorney for guidance.

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

If you witness violations of Tennessee 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	DCS Customer Relations Unit	(800) 861-1935 DCS.Custsrv@tn.gov
Licensed Adoption Attorney	Board of Professional Responsibility of the Supreme Court of Tennessee	https://www.tbpr.org/for-the-public/complaints-and-inquiry

Type of Entity	Where to Report	Contact Information
Unlicensed Adoption Facilitator Unlicensed Adoption Advertising	DCS Customer Relations Unit	(800) 861-1935 DCS.Custsrv@tn.gov

Child Protection in Tennessee

Child Protective Services Referrals

In Tennessee, any person including, but not limited to physicians, osteopaths, medical examiners, chiropractors, nurses, hospital personnel, health or mental health professionals, and social worker, are required to report known or suspected child abuse and child sexual abuse. [Tenn. Code §§ 37-1-403, 37-1-605 \(2024\)](#)

Everyone in Tennessee is a mandated reporter under state law. Any person with reasonable cause to believe a child is being abused or neglected must, under the law, immediately report to the Tennessee Department of Children's Services or to local law enforcement. The reporter can remain anonymous.

<https://www.tn.gov/dcs/program-areas/child-safety/reporting/faqs.html>

- **More Information:** <https://www.tn.gov/content/tn/dcs/program-areas/training/cw-resources/mandated-reporter-training.html>

Child Abuse, Neglect, and Exploitation Definitions under Tennessee Law

Under Tennessee law, a child is any person under the age of 18. (TN Code § 37-5-103 (2024))

- **Abuse** exists when a person under age 18 is suffering from, has sustained, or may be in immediate danger of suffering from or sustaining a wound, injury, disability, or physical or mental condition caused by brutality, neglect, or other actions or inactions of a parent, relative, guardian, or caregiver. [Tenn. Code § 37-1-102 \(2024\)](#)
- **Dependent and neglected child** means a child to whom any of the following apply:
 - Who is without a parent, guardian, or legal custodian
 - Whose parent, guardian, or person with whom the child lives, by reason of cruelty, mental incapacity, immorality, or depravity, is unfit to care properly for the child
 - Who is under unlawful or improper care, supervision, custody, or restraint by any person, corporation, agency, association, institution, society, or other organization or who is unlawfully kept out of school
 - Whose parent, guardian, or custodian neglects or refuses to provide necessary medical, surgical, institutional, or hospital care
 - Who, because of lack of proper supervision, is found in a place the existence of which is in violation of law
 - Who is in a condition of such want or suffering, or is under such improper guardianship or control, as to injure or endanger the morals or health of the child or others
 - Who is suffering from abuse or neglect

[Tenn. Code § 37-1-102 \(2024\)](#)

Tennessee Department of Social Services Contact Information

To report concerns about child abuse, neglect or sexual abuse, contact the state Department of Children's Services.

- **State Hotline:** (877) 542-2873)
- **Web Portal (non-emergency):** <https://carat.app.tn.gov/carat/referral/emergency.html>

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)

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

A newborn infant who is 14 days old or younger may be relinquished. [Tenn. Code § 68-11-255 \(2024\)](#)

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

The child's mother. [Tenn. Code § 68-11-255 \(2024\)](#)

Who are the designated Safe Haven/Safe Surrender providers?

An unharmed newborn infant may be relinquished on the premises of a Safe Haven facility with a facility employee or member of the professional medical community at the facility, or in a newborn safety device.

Safe Haven facilities include hospitals, birthing centers, community health clinics, outpatient walk-in clinics, fire departments that are staffed 24 hours a day, law enforcement facilities that are staffed 24 hours a day, emergency medical services facilities, emergency communication centers, or nursing homes. [Tenn. Code § 68-11-255 \(2024\)](#)

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.

The Tennessee Department of Children's Services Putative Father Registry allows supposed biological fathers without legal connection to a child to register information about themselves, the mother and the child so they can be notified about possible future adoption proceedings. Adding themselves to the list serves as a "notice of intent" to claim paternity of a child. The listing also contains the names of persons identified on orders of parentage, or acknowledgments of parentage, received in the Division of Vital Records.

To learn more and/or register, visit <https://www.tn.gov/dcs/program-areas/adoption/adoption-records/alleged-putative-fathers.html>.

Tennessee Adoption Service Providers

Licensed Private Adoption Agencies

In Tennessee, adoption agencies are licensed by the state Department of Children's Services. The following licensed agencies focus on domestic infant adoption with counseling and/or services available for expectant parents. Some agencies are licensed in multiple states.

* Denotes a for-profit agency.

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

- **Adoption Advocacy of Tennessee***
PO Box 982
Brentwood, TN 37024
Phone: (615) 455-5450
Jennifer@adoptionadvocacyoftn.com
<https://adoptionadvocacyoftn.com/>
- **Adoption Assistance**
512 S Church St
Murfreesboro, TN 37130
Phone: (615) 439-0959
tn@adoptionassistance.com
<https://www.adoptionassistance.com/>
- **Agape Child & Family Services**
3160 Directors Row
Memphis, TN 38131
(901) 323-3600
info@agapemeanslove.org
<https://agapemeanslove.org>
- **AGAPE Nashville**
4555 Trousdale Dr
Nashville, TN 37204
Phone : (615) 781-3000
info@agapenashville.org
<https://www.agapenashville.org/>
- **Catholic Charities of East Tennessee dba A Loving Option Adoption Agency**
119 Dameron Ave
Knoxville, TN 37917
Phone: (865) 684-1894
Adoption@ccetn.org
<https://alovingoptionadoption.org/>

- Catholic Charities of Tennessee**
 2806 McGavock Pike
 Nashville, TN 37214
 Phone: (615) 352-3087
 Fax: (615) 352-8591
contact@cctenn.org
<https://cctenn.org/>
- Destiny Adoption Services & Consulting Services, Inc.**
 7715 Oak Ridge Hwy Ste F
 Knoxville, TN 37931
 Phone: (865) 444-3847
lisa@destinyadoption.com
<https://destinyadoption.com/>
- Hannah's Hope**
 5676 Stage Rd
 Bartlett, TN 38134
 Phone: (901) 327-5560
office@hannahs-hope.org
<https://hannahs-hope.org/>
- Harmony Family Center**
 118 Mabry Hood Rd Ste 400
 Knoxville, TN 37922
 Phone: (865) 982-5225
info@harmonyfamilycenter.org
<https://harmonyfamilycenter.org/>
- Hope Center Adoption & Family Services**
 235 W Main St
 Cookeville, TN 38506
 Phone: (931) 252-7159
 Fax: (931) 400-0681
adopt@hopeadoptionagency.com
<https://hopeadoptionagency.org/>
- Jewish Family Service of Nashville and Middle Tennessee**
 801 Percy Warner Blvd Ste 103
 Nashville, TN 37205
 Phone: (615) 356-4234
info@jfsnashville.org
<https://jfsnashville.org/>
- Life Choices of Memphis, Inc.**
 5575 Raleigh-LaGrange
 Memphis, TN 38134
 Phone: (901) 388-6262
<https://lifechoicesmemphis.org/contact/>
<https://lifechoicesmemphis.org/>

- **Lifeline Children's Services**
200 Missionary Ridge Ste 200
Birmingham, AL 35242
Phone: (205) 967-0811
tennessee@lifelinechild.org
<https://lifelinechild.org/states/tennessee/>
- **Mercy Multiplied**
PO Box 111060
Nashville, TN 37222
Phone: (615) 831-6987
info@mercymultiplied.com
<https://mercymultiplied.com/>
- **Miriam's Promise**
3701 Hillsboro Pike
Nashville, TN 37215
Phone: (615) 292-3500
Fax: (615) 806-7367
info@miriamspromise.org
<https://miriamspromise.org/>
- **Small World**
9695 Lebanon Rd Ste 120
Mount Juliet, TN 37122
Phone: (615) 754-6540
Fax: (615) 754-6546
<https://smallworldadoption.com/>

Licensed Adoption Attorneys

This listing reflects the current Tennessee fellows of the [Academy of Adoption & Assisted Reproduction Attorneys](#) and 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.

- **Meredith Brasfield**
51 Germantown Ct Ste 112
Cordova, TN 38018
Phone: (901) 757-1700
Fax: (901) 757-1983
- **Lisa L. Collins**
4501 Charlotte Ave #90744
Nashville, TN 37209
Phone: (615) 269-5540
Fax: (615) 269-5151
<https://www.tnadoption.com/>

- **Jenny Hall**
95 White Bridge Pike Ste 103
Nashville, TN 37205
Phone: (615) 543-8640
Fax: (615) 577-0546
info@adoptmidtn.com
<http://www.adoptmidtn.com/>
- **Michael S. Jennings**
130 Jordan Dr
Chattanooga, TN 37421
Phone: (423) 892-2006
Fax: (423) 892-1919
hello@samplesjennings.com
<https://sampleslaw.com>
- **Theodore R. Kern**
PO Box 5385
Knoxville, TN 37928
Phone: (865) 603-5555
Contact Form: <https://tedkernlaw.com/contact-us/>
<https://tedkernlaw.com/>
- **Robert B. Kirsh**
2930 E 96th St
Indianapolis, IN 46240
Phone: (317) 575-5555
Fax: (317) 575-5631
Contact Form: <https://lovingadoptions.com/contact/>
<http://www.lovingadoptions.com/>
- **H. Keith Morrison**
1 E Center St Ste 310
Fayetteville, AR 72701
Phone: (479) 521-5820
Fax: (479) 521-5543
- **William H. Vetterick**
130 Jordan Dr
Chattanooga, TN 37421
Phone: (423) 892-2006
Fax: (423) 892-1919
hello@samplesjennings.com
<https://sampleslaw.com>
- **Kevin W. Weaver**
51 Germantown Ct Ste 112
Cordova, TN 38018
Phone: (901) 757-1700
Fax: (901) 757-1983

Resources

- [Academy of Adoption & Assisted Reproduction Attorneys](#)
- [AdoptChange](#)
- [Board of Professional Responsibility of the Supreme Court of Tennessee](#)
- [Child Welfare Information Gateway: State, Territory, and Tribal Resources](#)
- [Tennessee Department of Children's Services](#)
- [Tennessee General Assembly - Legislation](#)

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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