

March 4, 2021

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

EXECUTIVE SUMMARY

ALL COUNTY LETTER NO. 21-26

The purpose of this All County Letter (ACL) is to provide California Department of Social Services Regional Offices, delegated county adoption agencies, licensed adoption agencies, and adoption service providers with revised guidance regarding the extension of Novel Coronavirus (COVID-19)-related exceptions.



KIM JOHNSON
DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES
744 P Street • Sacramento, CA 95814 • www.cdss.ca.gov



GAVIN NEWSOM
GOVERNOR

March 4, 2021

ALL COUNTY LETTER NO. 21-26

TO: ALL CDSS ADOPTION REGIONAL OFFICES
ALL DELEGATED COUNTY ADOPTION AGENCIES
ALL ADOPTION SERVICES PROVIDERS
ALL LICENSED ADOPTION AGENCIES

SUBJECT: **REVISED COVID-19 RELATED EXCEPTIONS TO IN-PERSON
INDEPENDENT ADOPTION PROGRAM REQUIREMENTS**

REFERENCE: [BLUE PRINT FOR SAFER ECONOMY, TITLE 22, DIVISION 2,
CHAPTER 3 ADOPTION PROGRAM REGULATIONS; FAMILY
CODE SECTIONS 8800 ET. SEQ.; ACL 20-56; ACL 20-92, ACL
20-123, EXECUTIVE ORDER \(EO\) N-53-20, EO N-68-20, EO N-
69-20 AND EO N-71-20; GOVERNOR'S PROCLAMATION OF A
STATE OF EMERGENCY, MARCH 4, 2020](#)

The purpose of this All County Letter (ACL) is to provide the California Department of Social Services (CDSS) Regional Offices (RO), delegated county adoption agencies, adoption services providers (ASP), and licensed adoption agencies with revised guidance regarding the limited exceptions to in-person visitation requirements in the Independent Adoption Program (IAP) due to COVID-19 impacts.

Pursuant to the authority in Executive Order (EO) EO N-71-20, based on the color-tiered system described in the [Blueprint for a Safer Economy](#), CDSS has established temporary, limited exceptions to in-person visits and interviews, as described in this letter. Information contained in this ACL supersedes the information provided in [ACL 20-92](#) and [ACL 20-56](#), as applicable.

BACKGROUND

On August 28, 2020, Governor Newsom unveiled the [Blueprint for a Safer Economy](#), which outlined the State's colored tier system for determining the severity of the COVID-19 viral outbreak on a county-by-county basis. In the system, each county receives a color designation based on the level of outbreak in that county. Each color corresponds

to a level of severity and determines the activities and restrictions that are required to be in place for the county. The color levels of severity are:

- **Purple**—Represents Widespread outbreak of the virus in the county.
- **Red**—Represents Substantial outbreak of the virus in the county.
- **Orange**—Represents Moderate outbreak of the virus in the county.
- **Yellow**—Represents Minimal outbreak of the virus in the county.

In-Person Visits & the Interview of Petitioner within 45 Days

[ACL 20-92](#) provided guidance regarding case-by-case waivers of the in-person requirements for adoption specialist visits and the interview of the petitioner within 45 days, thus allowing videoconferencing to be temporarily utilized by the CDSS ROs and delegated county adoption agencies for visits conducted in accordance with the provisions of Family Code section [8808](#) and Adoption Regulation section [35083\(a\)](#). Under the color-tier system:

- For a county in the **purple tier** status, the RO or county staff may conduct the in-person visits and the 45-day interview via videoconferencing after a case-by-case assessment as previously authorized by, and described in, [ACL 20-56](#). However, an in-home visit must still be conducted prior to submitting a final court report recommending for or against the adoption.
- For counties in the **red, orange, or yellow tier status**, videoconferencing modalities may be utilized for visits and the 45-day interview, on a case-by case basis, if someone in the household is diagnosed with COVID-19, has symptoms of COVID-19, or has been exposed to COVID-19 within the past two weeks and the visit or interview cannot be postponed within the necessary visit/interview timeframe. Before scheduling an in-person visit, staff should reach out to petitioners to determine if they or anyone in their household meets one of these criteria. An in-home visit must still be conducted prior to submitting a final court report recommending for or against the adoption.

All remote contacts must be documented in accordance with the instructions set forth in [ACL 20-56](#). As a reminder, only videoconference contacts will be a sufficient substitute to meet state face-to-face visit requirements.

Staff must continue to take appropriate measures to comply with applicable confidentiality and privacy laws when contacting and/or conducting in-person visits or interviews via videoconference. When in-person visits occur, the following preventative practices are recommended:

- Wear the appropriate Essential Protective Gear (EPG)¹.
- Conduct visits outdoors when practical and appropriate.

¹ Inclusive of required Personal Protective Equipment (PPE), EPG may include, but is not limited to, gloves, face coverings, hand soap, hand sanitizer, and disinfectant.

- Practice physical distancing when in someone's home – stay six feet away from people when possible in order to accomplish the purpose of the visit.
- Minimize the number of people in the home, if possible, to only those necessary to complete the purpose of the visit.
- Open windows and doors within the home to increase air circulation while conducting indoor visits.
- If in the home of the birth parent(s) or petitioner(s), the RO or county staff should ask the household members to wear a mask during an in-person visit.
- Frequently wash hands with soap and water for at least 20 seconds. If this is not feasible, use hand sanitizer.
- Avoid touching eyes, nose or mouth.
- Cover your cough or sneeze with a tissue or your elbow or a tissue. Wash hands afterwards. If this is not feasible, use hand sanitizer.
- Follow guidance from public health officials.
- Clean and disinfect touched objects before and after the visits.

Waivers issued in [ACL 20-56](#) regarding the filing of the ADOPT-200 and court report submission will continue if a court is temporarily closed due to the stay-at-home order. The waiver of investigation fees issued in ACL 20-56 will also continue until the stay-at-home order is lifted or further notice from the department is provided.

For adoption placement agreements, consents to adoption, and waiver of the right to revoke consent, please refer to [ACL 20-123](#).

For detail on the flexibilities extended through the duration of the State of Emergency in [ACL 20-92](#) regarding the filing of ADOPT-200, investigation fees, and court report submission timeframes, please refer to [ACL 20-56](#).

If you have any questions or need additional guidance regarding the information in this letter, contact the Adoptions Services Bureau at (916) 651-8089 or at IAP@dss.ca.gov.

Sincerely,

Original Document Signed By

ANGIE SCHWARTZ
Deputy Director
Children and Family Services Division