



Accreditation/Approval Table of Evidence Responding to Complaints & Records & Report Management

Procedures for Responding to Complaints and Improving Service Delivery 96.41 (a) – (h)

Standard	Evidence to be submitted as a part of Application Part B	Evidence to be submitted and Interviews to be Conducted During Site Visit
<p>Critical</p> <p>96.41 (a) The agency or person has written complaint policies and procedures that incorporate the standards in paragraphs (b) through (h) of this section and provides a copy of such policies and procedures, including contact information for the Complaint Registry, to client(s) at the time the adoption services contract is signed.</p>	<ul style="list-style-type: none"> • Complaint policies and procedures 	<p>Interviews with:</p> <ul style="list-style-type: none"> • Employee • Clients <ul style="list-style-type: none"> • Review case records or other documentation verifying client receipt of complaint procedures.
<p>Critical</p> <p>96.41 (b) The agency or person permits any birth parent, prospective adoptive parent or adoptive parent, or adoptee to lodge directly with the agency or person signed and dated complaints about any of the services or activities of the agency or person (including its use of supervised providers) that he or she believes raise an issue of compliance with the Convention, the IAA, the UAA, or the regulations implementing the IAA or UAA, and advises such individuals of the additional procedures available to them if they are dissatisfied with the agency's or person's response to their complaint.</p>	<ul style="list-style-type: none"> • Complaint policies and procedures • Complaint records 	<p>Interviews with:</p> <ul style="list-style-type: none"> • Employee • Clients <ul style="list-style-type: none"> • Complaint records



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<p><i>Additional technical guidance provided by the Department of State. E.8 Scope of complaints to be included in Semi-annual Report on Complaints. 96.41 (b), (f)</i></p> <p><i>Additional technical guidance provided by the Department of State. E.6 No 30-day deadline for receiving complaints. 96.41</i></p> <p><i>Additional technical guidance provided by the Department of State. E.6a Complaints about conduct in non-Convention cases. Law suits against complainants making public statements against an ASP. 96.41 (b)-(e)</i></p>		
Standard	Evidence to be submitted as a part of Application Part B	Evidence to be submitted and Interviews to be Conducted During Site Visit
<p>Critical</p> <p>96.41 (c) The agency or person responds in writing to complaints received pursuant to paragraph (b) of this section within thirty days of receipt, and provides expedited review of such complaints that are time-sensitive or that involve allegations of fraud.</p> <p><i>Additional technical guidance provided by the Department of State. E.9 30 days to respond to complaint, as close to complete as possible. 96.41(c)</i></p>	<ul style="list-style-type: none"> • Complaint policies and procedures • Complaint records 	<p>Interviews with:</p> <ul style="list-style-type: none"> • CEO • Supervisors <ul style="list-style-type: none"> • Review complaint records



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<p><i>Additional technical guidance provided by the Department of State. E.6a Complaints about conduct in non-Convention cases. Law suits against complainants making public statements against an ASP. 96.41 (b)-(e)</i></p>		
Standard	Evidence to be submitted as a part of Application Part B	Evidence to be submitted and Interviews to be Conducted During Site Visit
<p>Critical</p> <p>96.41 (d) The agency or person maintains a written record of each complaint received pursuant to paragraph (b) of this section and the steps taken to investigate and respond to it and makes this record available to the accrediting entity or the Secretary upon request.</p> <p><i>Additional technical guidance provided by the Department of State. E.6a Complaints about conduct in non-Convention cases. Law suits against complainants making public statements against an ASP. 96.41 (b)-(e)</i></p>	<ul style="list-style-type: none"> • Complaint policies and procedures • Complaint records 	<p>Interviews with:</p> <ul style="list-style-type: none"> • Employee(s) responsible for complaints • Review complaint records
<p>Critical</p> <p>96.41 (e) The agency or person does not take any action to discourage a client or prospective client from, or retaliate against a client or prospective client for: making a complaint; expressing a grievance; providing information in writing or interviews to an accrediting entity on the agency's or person's performance; or questioning the conduct of or</p>	<ul style="list-style-type: none"> • Complaint policies and procedures • A narrative describing how the agency/person ensures its employees do not discourage complaints or retaliate against complainants • Complaint records 	<p>Interviews with:</p> <ul style="list-style-type: none"> • Employee • Clients • Former Clients • Review complaint records



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<p>expressing an opinion about the performance of an agency or person.</p> <p><i>Additional technical guidance provided by the Department of State. E.6a Complaints about conduct in non-Convention cases. Law suits against complainants making public statements against an ASP. 96.41 (b)-(e)</i></p>		
Standard	Evidence to be submitted as a part of Application Part B	Evidence to be submitted and Interviews to be Conducted During Site Visit
<p>Critical</p> <p>96.41 (f) The agency or person provides to the accrediting entity and the Secretary, on a semi-annual basis, a summary of all complaints received pursuant to paragraph (b) of this section during the preceding six months (including the number of complaints received and how each complaint was resolved) and an assessment of any discernible patterns in complaints received against the agency or person pursuant to paragraph (b) of this section, along with information about what systemic changes, if any, were made or are planned by the agency or person in response to such patterns.</p> <p><i>Additional technical guidance provided by the Department of State. E.8 Scope of complaints to</i></p>	<ul style="list-style-type: none"> • Complaint policies and procedures • Complaint records 	<ul style="list-style-type: none"> • Review complaint records



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<p><i>be included in Semi-annual Report on Complaints. 96.41 (b), (f)</i></p>		
Standard	Evidence to be submitted as a part of Application Part B	Evidence to be submitted and Interviews to be Conducted During Site Visit
<p>Critical</p> <p>96.41 (g) The agency or person provides any information about complaints received pursuant to paragraph (b) of this section as may be requested by the accrediting entity or the Secretary.</p>	<ul style="list-style-type: none"> • Complaint policies and procedures • Complaint records 	<ul style="list-style-type: none"> • Review complaint records
<p>Critical</p> <p>96.41 (h) The agency or person has a quality improvement program appropriate to its size and circumstances through which it makes systematic efforts to improve its adoption services as needed. The agency or person uses quality improvement methods such as reviewing complaint data, using client satisfaction surveys, or comparing the agency's or person's practices and performance against the data contained in the Secretary's annual reports to Congress on intercountry adoptions.</p>	<ul style="list-style-type: none"> • Complaint policies and procedures • Quality improvement program/system description • Quality improvement documents (e.g., meeting minutes, aggregate data and reports) 	<p>Interviews with:</p> <ul style="list-style-type: none"> • Employee(s) responsible for overseeing quality improvement • Review of quality improvement documents (e.g., meeting minutes, aggregate data and reports)



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Retention, Preservation, and Disclosure of Adoption Records 96.42 (a) – (e)

Standard	Evidence to be submitted as a part of Application Part B	Evidence to be submitted and Interviews to be Conducted During Site Visit
<p>Critical</p> <p>96.42 (a) The agency or person retains or archives adoption records in a safe, secure, and retrievable manner for the period of time required by applicable State law.</p>	<ul style="list-style-type: none"> • Case record retention procedures • Review of applicable state laws, as necessary 	<p>Interviews with:</p> <ul style="list-style-type: none"> • Employees • Observe record storage system • Review of applicable state laws, as necessary
<p>Critical</p> <p>96.42 (b) The agency or person makes readily available to the adoptee and the adoptive parent(s) upon request all non-identifying information in its custody about the adoptee's health history or background.</p> <p><i>Additional technical guidance provided by the Department of State. E.7 Disclosure to adoptees. 96.42(b)</i></p>	<ul style="list-style-type: none"> • Policy and procedures for disclosing information • Review documentation of completed requests, if available. 	<p>Interviews with:</p> <ul style="list-style-type: none"> • Personnel • Clients • Review documentation of completed requests, if available.
<p>Critical</p> <p>96.42 (c) The agency or person ensures that personal data gathered or transmitted in</p>	<ul style="list-style-type: none"> • Policy and procedures for disclosing information 	<p>Interviews with:</p> <ul style="list-style-type: none"> • Employees • Clients • Supervisors



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<p>connection with an adoption is used only for the purposes for which the information was gathered and safeguards sensitive individual information.</p>		
Standard	Evidence to be submitted as a part of Application Part B	Evidence to be submitted and Interviews to be Conducted During Site Visit
<p>Critical</p> <p>96.42 (d) The agency or person has a plan that is consistent with the provisions of this section, the plan required under §96.33, and applicable State law for transferring custody of adoption records that are subject to retention or archival requirements to an appropriate custodian, and ensuring the accessibility of those adoption records, in the event that the agency or person ceases to provide or is no longer permitted to provide adoption services in intercountry adoption cases.</p> <p><i>Additional technical guidance provided by the Department of State. E.10 Permissible to keep Convention dossiers with adoption case record. 96.42 (d)</i></p>	<ul style="list-style-type: none"> • Plan for transferring custody of adoption records 	<p>Interviews with:</p> <ul style="list-style-type: none"> • CEO
<p>Mandatory</p> <p>96.42 (e) The agency or person notifies the accrediting entity and the Secretary in writing within thirty days of the time it ceases to provide or is no longer permitted to provide adoption services and provides information about the transfer of its adoption records.</p>	<ul style="list-style-type: none"> • Procedures for submitting Self Reports to the accrediting entity 	<p>Interviews with:</p> <ul style="list-style-type: none"> • CEO



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Case Tracking – Data Management and Reporting 96.43 (a) – (d)

Standard	Evidence to be submitted as a part of Application Part B	Evidence to be submitted and Interviews to be Conducted During Site Visit
<p>Critical</p> <p>96.43 (a) When acting as the primary provider, the agency or person maintains all the data required in this section in a format approved by the accrediting entity and provides it to the accrediting entity on an annual basis.</p>	<ul style="list-style-type: none"> • Procedures for data collection, management, and reporting 	<p>Interviews with:</p> <ul style="list-style-type: none"> • Employee(s) responsible for data collection, management, reporting
<p>Foundational</p> <p>96.43 (b) When acting as the primary provider, the agency or person routinely generates and maintains reports as follows:</p> <p>(1) For cases involving children immigrating to the United States, information and reports on the total number of Convention and non-Convention adoptions undertaken by the agency or person each year and, for each case:</p> <p>(i) The foreign country from which the child emigrated;</p> <p>(ii) The State to which the child immigrated;</p>	<ul style="list-style-type: none"> • Procedures for data collection, management, and reporting 	<p>Interviews with:</p> <ul style="list-style-type: none"> • Employee(s) responsible for data collection



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<p>(iii) The State or foreign country in which the adoption was finalized;</p> <p>(iv) The age of the child; and</p> <p>(v) The date of the child's placement for adoption.</p> <p>(2) For cases involving children emigrating from the United States, information and reports on the total number of Convention and non-Convention adoptions undertaken by the agency or person each year and, for each case:</p> <p>(i) The State from which the child emigrated;</p> <p>(ii) The foreign country to which the child immigrated;</p> <p>(iii) The State or foreign country in which the adoption was finalized;</p> <p>(iv) The age of the child; and</p> <p>(v) The date of the child's placement for adoption.</p> <p>(3) For each disrupted placement involving an intercountry adoption, information and reports about the disruption, including information on:</p>		
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<p>(i) The foreign country from which the child emigrated;</p> <p>(ii) The State to which the child immigrated;</p> <p>(iii) The age of the child;</p> <p>(iv) The date of the child's placement for adoption;</p> <p>(v) The reason(s) for and resolution(s) of the disruption of the placement for adoption, including information on the child's re-placement for adoption and final legal adoption;</p> <p>(vi) The names of the agencies or persons that handled the placement for adoption; and</p> <p>(vii) The plans for the child.</p> <p>(4) Wherever possible, for each dissolution of an intercountry adoption, information and reports on the dissolution, including information on:</p> <p>(i) The foreign country from which the child emigrated;</p> <p>(ii) The State to which the child immigrated;</p>		
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<p>(iii) The age of the child;</p> <p>(iv) The date of the child's placement for adoption;</p> <p>(v) The reason(s) for and resolution(s) of the dissolution of the adoption, to the extent known by the agency or person;</p> <p>(vi) The names of the agencies or persons that handled the placement for adoption; and</p> <p>(vii) The plans for the child.</p> <p>(5) Information on the shortest, longest, and average length of time it takes to complete an intercountry adoption, set forth by the child's country of origin, calculated from the time the child is matched with the prospective adoptive parent(s) until the time the adoption is finalized by a court, excluding any period for appeal;</p> <p>(6) Information on the range of adoption fees, including the lowest, highest, average, and the median of such fees, set forth by the child's country of origin, charged by the agency or person for intercountry adoptions involving children immigrating to the United States in connection with their adoption.</p> <p><i>Additional technical guidance provided by the Department of State. E.11 Date match completed. 96.43(b)(5)</i></p>		
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<p>Foundational</p> <p>96.43 (c) If the agency or person provides adoption services in cases not subject to the Convention that involve a child emigrating from the United States for the purpose of adoption or after an adoption has been finalized, it provides such information as required by the Secretary directly to the Secretary and demonstrates to the accrediting entity that it has provided this information.</p>	<ul style="list-style-type: none"> • Procedures for data collection, management, and reporting 	<p>Interviews with:</p> <ul style="list-style-type: none"> • Employee(s) responsible for data collection
<p>Foundational</p> <p>96.43 (d) The agency or person provides any of the information described in paragraphs (a) through (c) of this section to the accrediting entity or the Secretary within thirty days of request.</p>	<ul style="list-style-type: none"> • Procedures for data collection, management, and reporting 	<p>Interviews with:</p> <ul style="list-style-type: none"> • Employee(s) responsible for data collection