**Section 401.560 Adoption Services Fees**

a) Excessive adoption fees by a child welfare agency, representative of an agency or independent contractor of an agency are prohibited. *An eligible adoption agency may be deemed compliant with this subsection. This presumption of compliance may be rebutted by the Department with substantiated evidence to the contrary. The Department may require periodic certification of COA accreditation from the agency.*  [225 ILCS 10/2.27 and 7.9]

b) Adoption service fees shall be based on the costs associated with the agency's overall service and program delivery. Clients may be charged fees only for services provided.

c) Payments to Biological Parents

1) Adoption agency *payments* to biological parents *of reasonable living expenses by a child welfare agency shall not obligate the biological parents to place the child for adoption. In the event that the biological parents choose not to place the child for adoption, the child welfare agency shall have no right to seek reimbursement from the biological parents, or from any relative of the biological parents, of moneys paid to, or on behalf of, the biological parents, except as provided in subsection (c)(2) of this Section.*

2) *A child welfare agency may seek reimbursement of reasonable living expenses from a person who receives such payments only if the person who accepts payment of reasonable living expenses before the child's birth, as described in subsection* (c)(1), *knows that the person on whose behalf* he or sheis *accepting payment is not pregnant at the time of the receipt of the payments or the person receives reimbursement for reasonable living expenses simultaneously from more than one child welfare agency without the agencies' knowledge.* [225 ILCS 10/14.7]

3) An adoption agency shall maintain on file records of all payments made to biological parents or on behalf of biological parents.

(Source: Added at 30 Ill. Reg. 2699, effective February 27, 2006)