

To: HONORABLE SENATOR KAREN E. SPILKA, HONORABLE REPRESENTATIVE CHERYL A. COAKLEY-RIVERA, CO-CHAIRS AND MEMBERS, JOINT COMMITTEE ON CHILDREN, FAMILIES AND PERSONS WITH DISABILITIES

From: KAREN B. CHEYNEY, DIRECTOR  
BRIGHT FUTURES ADOPTION CENTER, 5 BROADVIEW STREET,  
ACTON, MA 01720 ON BEHALF OF THE BIRTH PARENTS, ADOPTIVE PARENTS AND CHILDREN WE SERVE

Re: **TESTIMONY IN SUPPORT OF S. 75**  
**“Further Regulating the Placement of Certain Children”**

Honorable Senator Spilka and, Representative Coakley- Rivera and members of the Committee. I am appearing before you today, as the director of Bright Futures Adoption Center, a full service domestic adoption agency that places children from all over the United States with families in Massachusetts and other states.

After adopting my son from Maine in 1997 and my daughter from Wisconsin in 1998, I left my corporate law practice to create an agency that would promote the highest ethical standards in adoption practice and treat birth parents, adoptive parents and, most importantly, children with respect. I founded Bright Futures for these purposes.

***1. I support s. 75 because I believe that finding permanent homes for children through adoptions should not be a for profit business driven by the bottom line. It should be a process driven by the best interests of the children.***

- a. I was shocked to learn that in the fall of 2006, Senate Bill 2712, the Commerce Bill, passed into law a new definition of “Placement Agency” that allows adoption and foster care to be handled by for profit organizations. The organization that spearheaded the language change was Mentor, a therapeutic foster placing agency that functions as a for profit entity in a number of other states and contracts with the Department of Social Services. When approached by members of the Adoption Professional Association of Massachusetts, Mentor agreed that they had not intended their language change to affect adoption, but only intended for it to change the definition of foster placing agencies (agencies which provide services on a contract basis through the Department of Social Services which sets the fee structure and regulates the services provided). Together, APAM and Mentor sought to correct this oversight. A bill similar to S. 75 that would have modified the definition of “placement agencies” to allow for-profit agencies for foster care only, maintaining adoption agencies as non profit entities, passed both the House and Senate at the end of the last legislative session. Unfortunately, on his last day in

office, Governor Romney pocket vetoed a large stack of bills, including this one.

- b. The profit made by an individual or by an agency should never be the paramount issue in an adoption placement. Rather, what is in the best interest of the child should outweigh any and all issues regarding the bottom line.

**2. *Adoption plans are made when children and adults are in crisis making them extremely vulnerable to emotional and financial exploitation.***

- a. The Massachusetts adoption statute prohibits the coercion of an Adoption Surrender and money can and is used in many states that allow for profit adoption agencies as a bribe or coercion for the placement of children. I do not want this to happen in Massachusetts. I am aware of for profit agencies that promise cars, college payments, housing and other monetary remuneration in return for the placement of children. This is no different that the selling of children for televisions, VCRS and other material goods that takes place in many foreign countries.

- b. Birth parents want to know that their child is being placed with the best possible family and not with the family that can pay the most.

**3. *Children and Adults involved in adoption struggle with the financial cost associated with adoption.***

- a. Adopted children are psychologically harmed by the knowledge that people profited from their placement.

- b. Many birth parents and pre-adoptive parents find it hard to deal with the knowledge that money is changing hands in the process of adoption because it feels like baby selling and this feeling is only exacerbated when it is evident that individuals or agencies are profiting from the adoption.

**4. *If for profit agencies are permitted in MA, the cost of adoption for MA adoptive families will increase dramatically and nonprofit agencies will be driven out of business.***

- a. In states where "for profit" adoptions are legal, the cost to the agency is transferred to adoptive parents through increased fees.

- b. With nonprofit adoption agencies, prospective adoptive parents are paying reasonable fees for services rendered instead of what the market will bear.

- c. If for profit adoption agencies are permitted in MA, the small, nonprofit entities already doing ethical and high quality work for the families of MA may not be able to compete, leaving the families they have already created unsupported in

future years and giving MA families no option other than to work with a for profit adoption agency.

**5. *Nonprofit organizations require transparent operations and procedures protecting all members of the adoption triad.***

- a. Statewide standards and mandates are accepted and practiced universally by all nonprofit groups participating in adoptions in Massachusetts.
- b. The Child Welfare League of America Standards for Excellence in Adoption Practice state: "Adoption as a child welfare service for children is best provided through an authorized public child welfare agency or voluntary, nonprofit adoption agency....." Adoption agencies in Massachusetts are licensed "non-profit" social service agencies that are committed to providing services to all involved in the adoption process.

**6. *Adoption is a life long journey, which often leads those touched by it to need the help of adoption professionals with ongoing knowledge of their situation.***

Unlike nonprofit agencies, "for-profit" adoption agencies often do not offer ongoing counseling or a mechanism for people to maintain contact over the years with access to professional help when needed. The reason for this is that "for profit" adoption agencies assess their bottom line in numbers of placements and money made from those placements, instead of committing to the long term health and wellbeing of children and families. Nonprofit adoption agencies like Bright Futures are committed to the long-term support of the children, birth parents and adoptive parents we serve and want to be available to them for the long term.

**7. *The Commonwealth of Massachusetts has always been a leader in setting high ethical standards for adoption practice and agencies like Bright Futures would like to be available to continue to provide compassionate and high quality services to pregnant women and couples, adoptive parents and children.***

***PLEASE SUPPORT THE PASSAGE OF S. 75 FOR THE FAMILIES AND CHILDREN OF MASSACHUSETTS.***

April 4, 2007