

5-327. PROHIBITED COMPENSATION.

(A) IN GENERAL.

(1) AN AGENCY, INSTITUTION, OR INDIVIDUAL WHO RENDERS ANY SERVICE IN CONNECTION WITH THE PLACEMENT OF AN INDIVIDUAL FOR ADOPTION MAY NOT CHARGE OR RECEIVE FROM OR ON BEHALF OF EITHER THE NATURAL PARENT OF THE INDIVIDUAL TO BE ADOPTED, OR FROM OR ON BEHALF OF THE INDIVIDUAL WHO IS ADOPTING THE INDIVIDUAL, ANY COMPENSATION FOR THE PLACEMENT.

(2) THIS SUBSECTION DOES NOT PROHIBIT THE PAYMENT, BY ANY INTERESTED PERSON, OF REASONABLE AND CUSTOMARY CHARGES OR FEES FOR HOSPITAL OR MEDICAL OR LEGAL SERVICES.

(B) APPLICABILITY TO SOCIAL SERVICES ADMINISTRATION.

THIS SECTION DOES NOT PREVENT THE SOCIAL SERVICES ADMINISTRATION, OR ANY AGENCY OR INSTITUTION THAT IS SUPERVISED OR LICENSED BY IT, FROM RECEIVING AND ACCEPTING REASONABLE REIMBURSEMENT FOR THE COSTS OF ADOPTIVE SERVICES IN CONNECTION WITH ADOPTION, IF THE REIMBURSEMENT IS IN ACCORDANCE WITH STANDARDS ESTABLISHED BY THE RULES AND REGULATIONS OF THE SOCIAL SERVICES ADMINISTRATION. HOWEVER, THE ABILITY TO PROVIDE THIS REIMBURSEMENT MAY NOT AFFECT:

(1) THE ACCEPTABILITY OF ANY INDIVIDUAL FOR ADOPTIVE SERVICES; OR

(2) THE CHOICE OF THE MOST SUITABLE PROSPECTIVE ADOPTIVE FAMILY OR INDIVIDUAL FOR A CHILD WHO IS TO BE ADOPTED.

(C) PROSECUTION BY STATE'S ATTORNEY.

THE STATE'S ATTORNEY SHALL PROSECUTE ANY VIOLATION OF THIS SECTION.

(D) PENALTY.

A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$100 OR IMPRISONMENT NOT EXCEEDING 3 MONTHS, OR BOTH, FOR EACH OFFENSE.

REVISOR'S NOTE: This section formerly appeared as Article 16, § 83.

In subsection (d) of this section, the reference to a misdemeanor is new language added for clarity.

The only other changes are in style.

5-328. MEDICAL HISTORY OF NATURAL PARENTS.