

(6) ALL SERVICES OFFERED TO THE NATURAL PARENT BEFORE THE PLACEMENT OF THE CHILD, WHETHER OFFERED BY THE AGENCY TO WHICH THE CHILD IS COMMITTED OR BY OTHER AGENCIES OR PROFESSIONALS.

(d) (1) In determining whether it is in the best interest of the child to terminate a natural parent's rights as to the child in a case involving a child who has been adjudicated to be a child in need of assistance, a neglected child, an abused child, or a dependent child, the court shall consider the factors in subsection (c) of this section and whether any of the following continuing or serious conditions or acts exist:

(i) the natural parent has a disability that renders the natural parent consistently unable to care for the immediate and ongoing physical or psychological needs of the child for long periods of time;

(ii) the natural parent has committed acts of abuse or neglect toward any child in the family; or

(iii) the natural parent has failed repeatedly to give the child adequate food, clothing, shelter, and education or any other care or control necessary for the child's physical, mental, or emotional health, even though the natural parent is physically and financially able.

(2) If a natural parent does not provide specified medical treatment for a child because the natural parent is legitimately practicing religious beliefs, that reason alone does not make the natural parent a negligent parent.

(3) THE COURT SHALL CONSIDER THE EVIDENCE UNDER PARAGRAPH (1) OF THIS SUBSECTION REGARDING CONTINUING OR SERIOUS CONDITIONS OR ACTS AND MAY WAIVE THE CHILD PLACEMENT AGENCY'S OBLIGATIONS UNDER SUBSECTION (C) OF THIS SECTION IF THE COURT, AFTER APPROPRIATE EVALUATION OF EFFORTS MADE AND SERVICES RENDERED, FINDS BY CLEAR AND CONVINCING EVIDENCE THAT THE WAIVER OF THOSE OBLIGATIONS IS IN THE BEST INTEREST OF THE CHILD.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed only prospectively and may not be applied or interpreted to have any effect upon or application to any adoption or guardianship for which a final decree was entered before July 1, 1987, nor to any adoption or guardianship in which a petition has been filed, but proceedings are pending as of July 1, 1987. However the amendment by this Act of provisions of law in effect prior to the effective date of this Act may not be construed to preclude the application of those provisions of law to any adoption or guardianship for which a final decree was entered before July 1, 1987, nor to any adoption or guardianship proceeding pending as of the effective date of this Act.