

VETOES

(iii) the maintenance of regular communication by the natural parent with the custodian of the child; and

(iv) whether additional services would be likely to bring about a lasting parental adjustment so that the child could be returned to the natural parent within an ascertainable time, NOT EXCEEDING 18 MONTHS FROM THE TIME OF PLACEMENT, but the court may not consider whether the maintenance of the parent-child relationship may serve as an inducement for the natural parent's rehabilitation; AND

(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.