

**§ 48-3-402. Authorization required to transfer physical custody.**

(a) A health care facility or attending practitioner who has physical custody may release a minor for the purpose of adoption to a prospective adoptive parent or agency not legally entitled to the custody of the minor if, in the presence of an employee of the health care facility or the attending practitioner:

- (1) A parent, guardian, or other person or entity having legal custody of the minor signs an authorization of the transfer of physical custody; and
- (2) The authorization states that the release is for the purpose of adoption.

(b) The health care facility or attending practitioner shall retain the authorization described in subsection (a) of this section for at least one year. (1995, c. 457, s. 2.)