



April 26, 2023

Re: HF1778 Adult adoptee access to original birth records modified (provisions included SF2995)

Dear Representative Liebling:

We write to you today to share comments regarding [HF1778](#) provisions included in the Senate's position of SF2995 - the Health and Human Services omnibus bill. In 2012, Lutheran Social Service of Minnesota and Children's Home Society of Minnesota partnered to provide complementary adoption and post adoption services. Collectively, LSS and Children's Home have placed more than 47,000 children in adoptive families over 290 years of shared history.

Proposals regarding adult adoptee access to their own original birth records have come before the legislature for many years. In our due diligence to ensure legislators understand our organizations' shared support and concerns, we would like to provide you with information on provisions we support as well as provisions in which we have expressed concern.

Overall, we support adult adoptees gaining access to a copy of their original birth record and would agree that in the majority of cases it is welcomed. However, there are cases in which birth parents do not want their identity disclosed. Our primary concern regarding HF1778 provisions is the expiration of a birth parent's affidavit of nondisclosure. Experience suggests most birth parents want their children to have access to their information. However, some believe their identifying information would never be shared based on presiding law where files were sealed or based on the birth parent being allowed to submit an affidavit of non-disclosure. While open access is in the best interest of adoptees and their descendants, we believe the wishes of parents who choose to keep their identities concealed should be considered, in a manner with due process for all concerned.

LSS and Children's Home became aware of this year's bill through our review of the Senate Health and Human Services omnibus bill. Shortly thereafter, we connected with the Senate author and advocates to discuss support and concerns regarding the bill. We are glad to report that we have reached agreement on amended language to address technical changes and additions to the birth parent contact preference form. However, the expiration of standing affidavits of nondisclosure remain in the bill. We understand the strong support for this provision, but as active participants in this good-faith process, we want to ensure you are aware and consider our organizations' position and knowledge on this important issue.



We are thankful for your consideration on this issue. Please contact us or Erin Sutton, LSS' Senior Director of Advocacy, at erin.sutton@lssmn.org if you would like to further discuss this important issue.

Sincerely,

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Cc: Representative Steve Elkins
Representative Dave Baker