

# HOUSE RESEARCH

## Bill Summary

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### Overview

This bill changes laws related to access to birth records by adult adopted persons. Allows adult adopted persons to receive information about genetic siblings. Changes the age at which an adopted person can request information from age 19 and over to age 18 and over.

#### Section

- 1**      **Adoption records.** Amends §13.10, subd. 5. Adds a cross reference to a statutory section created in this bill.
- 2**      **Adoption records.** Amends §13.465, subd. 8. Updates a cross reference to a statutory section created in this bill.
- 3**      **Adoption.** Amends §144.218, subd. 1. Allows access to the information contained on the original birth records to the adopted person who is the subject of the record if the person is at least 18 years old; or if the adopted person is deceased, to a person related to the adopted person. For purposes of this section, defines “a person related to the adopted person.”
- 4**      **Data about births.** Amends §144.225, subd. 2. Adds a cross reference to a statutory section created in this bill.
- 5**      **Access to original birth record after adoption.** Amends §144.2252. Updates a cross reference to a statutory section created in this bill.
- 6**      **Access to original birth records of adopted persons; duties.** Creates §144.2253. Paragraph (a) instructs the state registrar, upon request, to provide the adopted person age 18 or older, or a person related to the adopted person if the adopted person is deceased, with a

## Section

noncertified copy of the adopted person's original birth record.

Paragraph (b) states that an original birth record of an adopted person becomes a public record on the 100<sup>th</sup> anniversary of the person's birth.

Paragraph (c) provides a cross-reference to the definition of "a person related to the adopted person."

- 7**      **Which services are for fee.** Amends §144.226, subd. 1. Requires the commissioner of health to charge a \$40 fee for noncertified copies of birth records in order to cover the cost of providing the record.
- 8**      **Services provided.** Amends §259.83, subd. 1. Requires agencies to provide assistance and counseling upon receiving a request for current information from adoptive parents, birth parents or adopted persons age 18 and over. Current law requires assistance to be provided to adopted persons age 19 and over. Removes the limitation that services to adult genetic siblings can only be provided if there is no known violation of a birth parent's confidentiality or the birth parent gives written consent.
- 9**      **Social and medical history.** Amends §259.83, subd. 1a. Allows an adopted person age 18 and over to request nonidentifying social and medical history on the adopted person's birth parents. Current law requires the adopted person to be age 19 and over.
- 10**     **Genetic siblings.** Amends §259.83, subd. 1b. Allows an adopted person or a person who was committed to the guardianship of the commissioner who is age 18 or older to request and be given information on genetic siblings. Current law requires the person to be age 19 and over.
- 11**     **Confidentiality.** Amends §259.83, subd. 4. Requires agencies to provide adopted persons age 18 and over with reasonable assistance regarding confidentiality and privacy of child welfare and adoption records. Current law requires the assistance to be given to adopted persons age 19 and over.
- 12**     **Rights of terminated parents.** Amends §260C.317, subd. 4. Strikes paragraphs allowing persons identified as a parent on an original birth certificate to file a consent for disclosure or affidavit of nondisclosure related to information contained in the original birth record.
- 13**     **Repealer.** Repeals §§144.212, subd. 11 (definition of "consent to disclosure"); 259.83, subd. 3 (identifying information); and 259.89 (access to original birth record information), subs. 1 (request for information), 2 (search for parents), 3 (failure to notify parent), 4 (release of information after notice), and 5 (death of parent).
- 14**     **Effective date.** Provides that section 1 to 13 are effective January 1, 2014.