

SSB 5118 - S AMD 47

By Senators Carrell, Rivers

PULLED 03/05/2013

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 26.33.345 and 1993 c 81 s 3 are each amended to read
4 as follows:

5 (1) The department of social and health services, adoption
6 agencies, and independent adoption facilitators shall release the name
7 and location of the court where a relinquishment of parental rights or
8 finalization of an adoption took place to an adult adoptee, a birth
9 parent of an adult adoptee, an adoptive parent, a birth or adoptive
10 grandparent of an adult adoptee, or an adult sibling of an adult
11 adoptee, or the legal guardian of any of these.

12 (2) The department of health shall make available a noncertified
13 copy of the original birth certificate of a child to the child's birth
14 parents upon request.

15 (3)(a) For adoptions finalized after October 1, 1993, the
16 department of health shall make available a noncertified copy of the
17 original birth certificate to ~~((the adoptee after the adoptee's
18 eighteenth birthday unless the birth parent has filed an affidavit of
19 nondisclosure))~~ an adopted person eighteen years of age or older upon
20 request, unless the birth parent has filed an affidavit of
21 nondisclosure.

22 (b) For adoptions finalized on or before October 1, 1993, the
23 department of health may not make available the original birth
24 certificate to the adopted person for inspection or copying until after
25 June 30, 2014. After June 30, 2014, the department of health shall
26 make available a noncertified copy of the original birth certificate to
27 an adopted person eighteen years or older upon request, unless the
28 birth parent has filed an affidavit of nondisclosure.

29 (4) Regardless of whether a birth parent has filed an affidavit of
30 nondisclosure, a birth parent may at any time complete a contact

1 preference form stating his or her preference about personal contact
2 with the adopted person, which, if available, must accompany a birth
3 certificate issued under subsection (3) of this section. The contact
4 preference form must include the following options:

5 (a) I would like to be contacted;

6 (b) I would like to be contacted only through a confidential
7 intermediary as described in RCW 26.33.343; and

8 (c) I prefer not to be contacted at this time and have also
9 completed the birth parent updated medical history form.

10 (5) Regardless of when the adoption was finalized, a birth parent
11 may file with the department of health an affidavit of nondisclosure or
12 the contact preference form.

13 (6) If a birth parent files an affidavit of nondisclosure or a
14 contact preference form, the birth parent must also file a medical
15 history form with the department of health. Upon request of the
16 adopted person, the department of health must provide the adoptee with
17 the medical history form filed by the adoptee's birth parent.

18 (7) Both a completed contact preference form and birth parent
19 updated medical history form are confidential and must be placed in a
20 secure file until a match with the adopted person's file is made. Once
21 a match is made, the forms must be placed in the adopted person's
22 sealed file.

23 (8) If the contact preference form is filed within six months of
24 the first time an adopted person requests a copy of his or her original
25 birth certificate as provided in subsection (3) of this section, the
26 department of health must forward the form to the address of the
27 adopted person. If applicable, the department of health must also
28 forward the birth parent updated medical history form to the address of
29 the adopted person.

30 (9) The department of health may charge a fee not to exceed twenty
31 dollars for providing a noncertified copy of a birth certificate to an
32 adoptee.

33 (10) The department of health must create the contact preference
34 form and medical history form. The medical history form may not
35 require the birth parent to disclose any identifying information about
36 the birth parent. The department of health must modify the affidavit
37 of nondisclosure form to include the birth parent's social security
38 number."

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1 On page 1, line 2 of the title, after "finalization;" strike the
2 remainder of the title and insert "and amending RCW 26.33.345."

EFFECT: Maintains current law regarding access to birth records for adoptions finalized after October 1, 1993.

After June 30, 2014, all adoptees will be able to access noncertified copies of their original birth records unless the birth parent has filed an affidavit of nondisclosure.

States that an affidavit of nondisclosure can be filed at any time, regardless of the date of the adoptions.

If a birth parent files an affidavit of nondisclosure or a contact preference form, the birth parent must also file a medical history form.

The medical history form must be provided to the adoptee upon request.

The department of health must create a contact preference form and medical history form. The affidavit of nondisclosure form must have the birth parent's social security number.

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