

HPB

2

# COMMITTEE REPORT

HOUSE

Judiciary

(7)

1/14/85

FURTHER: Finance

Date: February 4 1985

The Committee on Health, Education and Social Services has had HB 2

"An Act relating to adoption medical records; and providing for an effective date."

under consideration and recommends:

- do pass  do not pass
- do pass with attached amendments(s)
- replace with CS for HB 2  same title  
 new title
- and recommends do pass
- AND attaches a "Letter of Intent"  New Fiscal Note
- reports it back without recommendation  Zero Fiscal Note Attached
- referred to the \_\_\_\_\_ Committee

MEMBERS SIGNING  
DO PASS

MEMBERS HAVING  
OTHER RECOMMENDATIONS:

[Signature]

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[Signature]  
CHAIRMAN

[Signature]

Moen  
2/5/85 J

Original sponsors: Szymanski, Goll  
and Boucher

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND  
SOCIAL SERVICES COMMITTEE

2 CS FOR HOUSE BILL NO. 2 (HESS)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - FIRST SESSION

A BILL

6 For an Act entitled: "An Act relating to adoption medical records; and  
7 providing for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 \* Section 1. AS 18.50 is amended by adding new sections to read:

10 ARTICLE 6. ADOPTION INFORMATION.

11 Sec. 18.50.500. ACCESS TO ADOPTION INFORMATION. Upon request,  
12 the state registrar shall provide the adoptive parents of a person or  
13 the adopted person with whatever nonidentifying information is avail-  
14 able on the medical history of each biological parent, adopted person,  
15 and blood relative of each biological parent. The information shall  
16 be on a standardized form prepared by the department.

17 Sec. 18.50.510. MAINTENANCE OF RECORDS. (a) The department, a  
18 child adoption agency, or a person placing a person for adoption shall  
19 furnish the state registrar the information concerning biological  
20 parents required under AS 18.50.500 for all adoptions. If the infor-  
21 mation concerning biological parents and adopted person and blood  
22 relatives of each biological parent required under AS 18.50.500 is  
23 requested but is not available for an adoption, the state registrar  
24 shall attempt to obtain the required information from the child adop-  
25 tion agency, records of the department, or court adoption records, or  
26 a person placing a person for adoption.

27 (b) A child adoption agency licensed under AS 47.35.100 and a  
28 person placing a person for adoption shall maintain records required  
29 under this chapter or by the regulations of the commissioner. If a

1 child adoption agency or a person placing a person for adoption ceases  
2 to place persons for adoption, it shall transfer its records to the  
3 commissioner.

4 Sec. 18.50.520. DEFINITIONS. In AS 18.50.500 - 18.50.520

5 (1) "adoptive parent" means a parent who adopted a person  
6 under AS 25.23;

7 (2) "biological parent" means a birth parent who is named  
8 on the original certificate of birth of an adopted person;

9 (3) "child adoption agency" means a child adoption agency  
10 licensed under AS 47.35.100;

11 (4) "medical history" means information identifying pre-  
12 vious medical conditions and their treatment, immunization records,  
13 and other medical information that would be relevant to the health  
14 care of a genetically-related person.

15 \* Sec. 2. AS 25.23.080(c) is amended to read:

16 (c) A certified copy of the birth certificate or verification of  
17 the birth record of the person to be adopted, if available, the non-  
18 identifying information specified in AS 18.50.500, if available, and  
19 the required consents, relinquishments, and termination orders shall  
20 be filed with the clerk by the person or agency petitioning for  
21 adoption.

22 \* Sec. 3. AS 25.23 is amended by adding a new section to read:

23 Sec. 25.23.185. RECORDS AND INFORMATION. (a) A person or  
24 agency petitioning for adoption shall attempt to obtain from each  
25 known biological parent of the adopted person for the state registrar  
26 the information described in AS 18.50.500 on a form prepared by the  
27 department.

28 (b) The information provided by a biological parent under (a) of  
29 this section shall be filed with the state registrar.

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\* Sec. 4. This Act takes effect January 1, 1986.

*Working draft  
2/14/85  
M. G. ...*

*Working draft  
is the same  
as ...*

Introduced: 1/14, '85  
Referred: Health, Education &  
Social Services, Judiciary and  
Finance

1 IN THE HOUSE

BY SZYMANSKI, GOLL AND BOUCHER

2 HOUSE BILL NO. 2

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Introduced: 1/14/85  
Referred: Health, Education &  
Social Services, Judiciary and  
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*Worked  
draft  
2/14/85  
M. G. Mendenhall*

*Worked draft  
of the same  
as committee  
version*

Introduced: 1/14/85  
Referred: Health, Education &  
Social Services, Judiciary and  
Finance

1 IN THE HOUSE BY SZYMANSKI, GOLL AND BOUCHER  
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29 \* Sec. 4. This Act takes effect January 1, 1986.  
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POSITION PAPER

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 2 (Judiciary)

"An Act relating to adoption medical records"

The Judiciary Committee substitute for House Bill No. 2 incorporates the language changes recommended in the Department's position paper approved on January 20, 1985. In addition, it combines the new definitions generated by this amendment to the Vital Statistics Act with those already listed under AS 18.50.370.

The Department of Health & Social Services supports the passage of Committee Substitute for House Bill No. 2 (Judiciary).

RECOMMENDED BY: Jean P. Brooks  
JOAN P. BROOKS  
STATE REGISTRAR OF VITAL STATISTICS

DATE: March 11, 1985

RECOMMENDED BY: Patricia R. Alexander  
PATRICIA R. ALEXANDER  
DIRECTOR  
DIVISION OF PLANNING

DATE: 3/11/85

APPROVED BY: John R. Pugh  
JOHN R. PUGH  
COMMISSIONER

DATE: 3/12/85

**STATE OF ALASKA 1985 LEGISLATIVE SESSION  
FISCAL NOTE**

Revision Date: March 11, 1985

**REQUEST**

Bill/Resolution No.: CS HB 2 (Jud.)  
Title: Adoption Medical Records

**FISCAL DETAIL**

Agency Affected: Health & Social Services  
Program Category Affected: Health

Sponsor: Szymanski, Goll & Boucher  
Requestor:  
Date of Request: 3/11/85

BRU, Program or Subprogram(s) Affected:  
Div. of Planning/ Bureau of Vital Statistics

**EXPENDITURES/REVENUES: (Thousands of Dollars)**

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
<b>OPERATING</b>						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
<b>TOTAL OPERATING</b>		0	0	0	0	0

<b>CAPITAL</b>						
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<b>REVENUE</b>						
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**FUNDING: (Thousands of Dollars)**

GENERAL FUND		0	0	0	0	0
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>		0	0	0	0	0

**POSITIONS:**

FULL-TIME		0	0	0	0	0
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

Prepared By: Patricia B. Alexander  
Joan P. Orsak  
 Division: Planning/ Bureau of Vital Statistics

Phone: 465-3391  
 Date: March 11, 1985 3/11/85

Approved by Commissioner: Joan R. By  
 Agency: Health & Social Services

Date: 3/12/85 JCC

**Distribution (by Agency preparing fiscal note):**

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)



**Alaska State Legislature**  
**House of Representatives**  
COMMITTEE ON HEALTH, EDUCATION  
AND SOCIAL SERVICES

OFFICIAL BUSINESS

POUCH V  
JUNEAU, AK 99811  
465-3759

MEMORANDUM

TO: Members of the House HESS Committee  
FROM: Deborah Niedermeyer, Committee Aide  
RE: HB2, Relating to Adoption Medical Records  
DATE: 25 January, 1985

IN YOUR FOLDER YOU WILL FIND

A copy of HB2

A memo from Representative Szymanski, prime sponsor

A position paper and zero fiscal note from the Department of Health,  
Education and Social Services

A memo from Karla Forsythe, General Counsel for the Alaska Court System

Written testimony form Fairbanks Counseling and Adoption



Alaska State Legislature  
House of Representatives  
COMMITTEE ON HEALTH, EDUCATION  
AND SOCIAL SERVICES

OFFICIAL BUSINESS

POUCH V  
JUNEAU, AK 99811  
465-3759

TO: Members of the House HESS Committee  
FROM: Deborah Niedermeyer, Committee Aide *DNA*  
DATE: 28 January, 1985  
RE: HB2, Relating to Adoption Medical Records

The House HESS Committee will soon be taking up HB2, Relating to Adoption Medical Records. I am providing you with these back-up materials now so that you can be prepared for the public hearing.

These materials are for you to keep, use and store as you wish. You will receive an additional copy of this back-up in your committee folder when the Committee takes testimony, so it is not necessary for you to remember to bring this material with you to the committee meeting. We will be trying to follow this procedure for each public hearing.



Official Business

# Alaska State Legislature

House of Representatives

Representative Mike Szymanski

Rep. Mike Szymanski  
801 W. Fireweed Lane, Suite 102  
Anchorage, Alaska 99503  
Phone 276-6731

SR-A-Box 1304B  
Anchorage, Alaska 99502  
Phone (907) 349-3373

While in Session:  
Pouch V  
State Capitol  
Juneau, Alaska 99811

January 17, 1985

TO: HOUSE HEALTH & SOCIAL SERVICES COMMITTEE

FROM: Representative Mike Szymanski

SUBJECT: HB 2, relating to adoption medical records

This legislation, which I introduced two years ago, reflects changes that were made (from the original bill) in the House HESS and the House Judiciary committees during the 13th Legislature and these changes were the result of recommendations made by both the Department of Health and Social Services and by the Court System.

Under present statuten there is no provision which makes it mandatory for an adopted child's medical history and records to be made available to both the adopted child and the adoptive parents. While, in fact, such information is often obtained and provided by the person or agency placing the child, there are many instances, especially in the area of private adoptions, where this information is not provided, nor is an attempt made to obtain the information.

A constituent of mine had contacted me because her adopted child had developed an illness which was "predictable" had the child's medical history/records been available.

It is the intent of this legislation to accomplish several changes:

1. the legislation would require that information relating to the medical history of an adopted child be collected and recorded on a form and attached to the adoption records at the time of adoption. This would be for all adoptions, private, agency, or State.

2. For those adoptions which have occurred prior to the effective date of this legislation, the Department of Health and Social Services would now be required to obtain this information, if it is available, and if requested by the child or the adoptive parents.

3. This legislation would ~~make~~ make the information available upon request to the adoptive parents and to the adopted child.

4. It is the intent of the legislation that the information which will be included will be nonidentifying information.

There was a zero fiscal note from the Department of Health and Social Services and the position paper from the Department was supportive of this legislation, with recommendations for certain "clean-up" language which, as I have indicated, have been included.

I appreciate the Committee's consideration of this legislation.

POSITION PAPER

HOUSE BILL NO. 2

"An Act relating to adoption medical records"

House Bill No. 2 amends the Vital Statistics Act and the adoption statute to require collection of nonidentifying information on the health history of each biological parent, adopted person, and blood relatives of each biological parent, if available.

The Department agrees that this information should be collected because of its usefulness to adoptees and adoptive parents, but much of that information, particularly about blood relatives, has not been collected for past adoptions mainly because the majority of adoptions in Alaska are not handled through agencies.

The Department proposes the following changes to Page 1, lines 18 and 28 from "a person authorized by law to place a person for adoption" to "a person placing a person for adoption". This change is suggested because not all persons placing a person for adoption are required to be authorized by law. An example would be an attorney who handles only one or two adoptions a year. This change is consistent with the wording on Page 1, line 26 and Page 2, line 1.

With these changes, the Department of Health and Social Services would support passage of House Bill No. 2.

RECOMMENDED BY: Joan P. Brooks  
JOAN P. BROOKS  
STATE REGISTRAR OF VITAL STATISTICS

DATE: January 17, 1985

RECOMMENDED BY: Newton Chase  
NEWTON CHASE  
ACTING DIRECTOR  
DIVISION OF PLANNING

DATE: 1/17/85

APPROVED BY: John R. Pugh  
JOHN R. PUGH  
COMMISSIONER

DATE: 1/20/85

**STATE OF ALASKA 1985 LEGISLATIVE SESSION  
FISCAL NOTE**

Revision Date: \_\_\_\_\_

**REQUEST**

Bill/Resolution No.: H B 2  
Title: Adoption Medical Records

Sponsor: Szymanski, Goll & Boucher  
Requestor: \_\_\_\_\_  
Date of Request: 1/17/85

**FISCAL DETAIL**

Agency Affected: Health & Social Services  
Program Category Affected: Health

BRU, Program or Subprogram(s) Affected:  
Div. of Planning, Bureau of Vital Statistics

**EXPENDITURES/REVENUES: (Thousands of Dollars)**

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
<b>OPERATING</b>						
100 PERSONAL SERVICES						
200 TRAVEL						
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400 SUPPLIES			0			
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700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
<b>TOTAL OPERATING</b>		0	0	0	0	0
<b>CAPITAL</b>						
<b>REVENUE</b>						

**FUNDING: (Thousands of Dollars)**

GENERAL FUND		0	0	0	0	0
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>						

**POSITIONS:**

FULL-TIME		0	0	0	0	0
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

Prepared By: *John P. Brooks* ©  
Division: Planning/Bureau of Vital Statistics

Phone: 465-3391  
Date: 1/17/85

Approved by Commissioner: *John R. Payne*  
Agency: HEALTH & SOCIAL SERVICES

Date: 1/21/85 *JCC*

**Distribution (by Agency preparing fiscal note):**

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget

January 24, 1984

M E M O R A N D U M

TO: Rep. Niilo Koponen  
Rep. Max Gruenberg  
Co-Chairmen, House Health, Education  
and Social Services Committee

FROM: Karla Forsythe *Karla Forsythe*  
General Counsel  
Alaska Court System

SUBJECT: HB 2

I have been asked by Deborah Niedermeyer, committee aide, to inform the committee of the Alaska Court System's views about HB 2.

The Alaska Court System takes no position on the merits of this legislation. With regard to the administrative and procedural impact on the courts, no fiscal impact is anticipated. The duties assigned to the court by this bill are appropriate to the court's role in adoption cases.

Thank you for the opportunity to comment on this legislation.

c: Arthur H. Snowden, II



## Fairbanks Counseling and Adoption

222 Front St. Graehl  
P.O. Box 1544  
Fairbanks, Alaska 99707  
(907) 458-4729

January 25, 1985

Niilo Koponen  
Chair Person  
House Hess

Dear Mr. Koponen:

We fully support House Bill 2, pertaining to adoption medical records. We believe that an adopted person should have access to nonidentifying medical information relating to his/her birth background. This information could be crucial to an adopted person's health and well being.

However, we also feel that this housebill is too limited in scope. While we feel that nonidentifying information related to medical needs is important, other information can also be of great importance to an adopted person. Therefore, we would support a bill that provides for the disclosure to the adoptive parents of a person or the adopted person the following non-identifying information;

- 1) the age of the biological parent at the birth of the adopted person but not the birth date of the biological parent;
- 2) the heritage of the biological parent, including:
  - (A) national origin;
  - (B) ethnic background; and
  - (C) race;
- 3) education, which is the number of years of school completed by the biological parent at the time of the adopted person;
- 4) general physical appearance of the biological parent at the time of the birth of the adopted person in terms of height, weight, color of hair, eyes, skin, and other information of a similar nature;



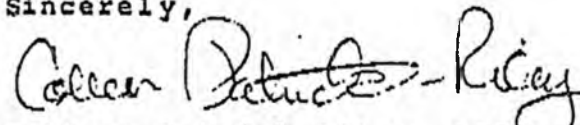
A United Way Member Agency

- 5) talents, hobbies, and special interests of the biological parent;
- 6) the existence of another child or children of the biological parent;
- 7) whether the parental rights of the biological parent were voluntarily relinquished or involuntarily terminated;
- 8) the religion of the biological parent;
- 9) the legal relationship, if any, between the biological parents.

The type of nonidentifying information that we have outlined in this letter can be extremely helpful to an adolescent or young adult who is in the process of forming an identity. Since an adopted person's identity is in part, a blending of his birth and adoptive backgrounds it is important he/she have knowledge of his total heritage.

We hope your committee will consider the needs of adoptees by endorsing HB 2.

Sincerely,



Colleen Patrick-Riley, ACSW  
Executive Director



## Fairbanks Counseling and Adoption

222 Front St. Graehl  
P.O. Box 1544  
Fairbanks, Alaska 99707  
(907) 456-4729

January 25, 1985

Nillo Koponen  
Chair Person  
House Hess

Dear Mr. Koponen:

We fully support House Bill 2, pertaining to adoption medical records. We believe that an adopted person should have access to nonidentifying medical information relating to his/her birth background. This information could be crucial to an adopted person's health and well being.

However, we also feel that this housebill is too limited in scope. While we feel that nonidentifying information related to medical needs is important, other information can also be of great importance to an adopted person. Therefore, we would support a bill that provides for the disclosure to the adoptive parents of a person or the adopted person the following non-identifying information;

- 1) the age of the biological parent at the birth of the adopted person but not the birth date of the biological parent;
- 2) the heritage of the biological parent, including:
  - (A) national origin;
  - (B) ethnic background; and
  - (C) race;
- 3) education, which is the number of years of school completed by the biological parent at the time of the adopted person;
- 4) general physical appearance of the biological parent at the time of the birth of the adopted person in terms of height, weight, color of hair, eyes, skin, and other information of a similar nature;



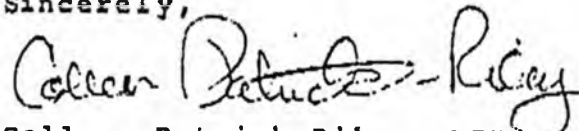
A United Way Member Agency

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Sincerely,



Colleen Patrick-Riley, ACSW  
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