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STATE OF ALASKA
THE LEGISLATURE

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FOUCHY - STATE CAPITOL
JUNEAU, ALASKA 99811
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May, 1986

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS date base CM 14. In order to save space copies of minutes have not been left in the files.

Jeanie Henry

H. Judiciary 3/4/85 1:30

Original sponsors: Szymanski, Goll
and Boucher

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 CS FOR HOUSE BILL NO. 2 (Judiciary)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 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 Sec. 18.50.214. ACCESS TO ADOPTION INFORMATION. Upon request,
11 the state registrar shall provide the adoptive parents of a person or
12 the adopted person with whatever nonidentifying information is avail-
13 able on the medical history of each biological parent, adopted person,
14 and blood relative of each biological parent. The information shall
15 be on a standard form prepared by the department.

16 Sec. 18.50.216. MAINTENANCE OF RECORDS. (a) The department, a
17 child adoption agency, or a person placing a person for adoption shall
18 furnish the state registrar the information concerning biological
19 parents required under AS 18.50.214 for all adoptions. If the infor-
20 mation concerning biological parents and adopted person and blood
21 relatives of each biological parent required under AS 18.50.214 is
22 requested but is not available for an adoption, the state registrar
23 shall attempt to obtain the required information from the child adop-
24 tion agency, records of the department, or court adoption records, or
25 a person placing a person for adoption.

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

1 to place persons for adoption, it shall transfer its records to the
2 commissioner.

3 * Sec. 2. AS 18.50.370 is amended by adding new paragraphs to read:

4 (14) "adoptive parent" means a parent who adopted a person
5 under AS 25.23;

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

8 (16) "child adoption agency" means a child adoption agency
9 licensed under AS 47.35.100;

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

14 * Sec. 3. AS 25.23.080(c) is amended to read:

15 (c) A certified copy of the birth certificate or verification of
16 the birth record of the person to be adopted, if available, the non-
17 identifying information specified in AS 18.50.214, if available, and
18 the required consents, relinquishments, and termination orders shall
19 be filed with the clerk by the person or agency petitioning for
20 adoption.

21 * Sec. 4. AS 25.23 is amended by adding a new section to read:

22 Sec. 25.23.185. RECORDS AND INFORMATION. (a) A person or
23 agency petitioning for adoption shall attempt to obtain from each
24 known biological parent of the adopted person for the state registrar
25 the information described in AS 18.50.214 on a form prepared by the
26 department.

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

29 Sec. 5. This Act takes effect January 1, 1986.

COMMITTEE REPORT
HOUSE

3/7

(7)

FURTHER: FINANCE

2/6/85

Date: 3-1-85

The Committee on JUDICIARY 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 (JUD) same title
 new title
- and recommends CS HP 2 (JUD) 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]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

CHAIRMAN



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

OFFICIAL BUSINESS

POUCHV
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 from Fairbanks Counseling and Adoption



Fairbanks Counseling and Adoption

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

January 25, 1985

Niilo Koponen
Chair Person
House ~~Bill~~ ss

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;



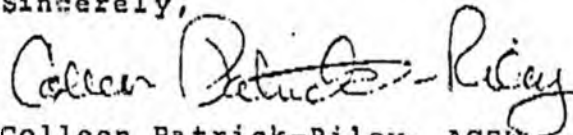
A United Way Member Agency

- 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

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

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

FISCAL DETAIL

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

Sponsor: Szymanski, Goll & Rouchen
Requestor:
Date of Request: 1/17/85

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
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		0	0	0	0	0

CAPITAL						
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REVENUE						
----------------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND		0	0	0	0	0
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

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

ANALYSIS: Attach a separate page if necessary

Prepared By: *John P. Brooks* (C) Phone: 465-3391
Division: Planning/Bureau of Vital Statistics Date: 1/17/85

Approved by Commissioner: *John R. Poy* Date: 1/21/85 *acc*
Agency: HEALTH + SOCIAL SERVICES

Distribution (by Agency preparing fiscal note):

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



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:
Room 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 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.

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

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 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 authorized by law to place a person
19 for adoption shall furnish the state registrar the information con-
20 cerning biological parents required under AS 18.50.500 for all adop-
21 tions. If the information concerning biological parents and adopted
22 person and blood relatives of each biological parent required under
23 AS 18.50.500 is requested but is not available for an adoption, the
24 state registrar shall attempt to obtain the required information from
25 the child adoption agency, records of the department, or court adop-
26 tion records, or a person placing a person for adoption.

27 (b) A child adoption agency licensed under AS 47.35.100 and a
28 person authorized by law to place a person for adoption shall maintain
29 records required under this chapter or by the regulations of the

30 COMMITTEE COPY

1 commissioner. If a child adoption agency or a person placing a person
2 for adoption ceases to place persons for adoption, it shall transfer
3 its records to the 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. 25.23.135. RECORDS AND INFORMATION. (a) A person or
24 agency petitioning for adoption shall obtain from each known biologi-
25 cal parent of the adopted person for the state registrar the informa-
26 tion described in AS 18.50.500 on a form prepared by the department.

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

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

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: Joan 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
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		0	0	0	0	0

CAPITAL						
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REVENUE						
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FUNDING: (Thousands of Dollars)

GENERAL FUND		0	0	0	0	0
FEDERAL FUNDS						
OTHER						
TOTAL		0	0	0	0	0

POSITIONS:

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

ANALYSIS: Attach a separate page if necessary

Patricia R. Alexander
John P. Orsak
Prepared By: _____
Division: Planning/ Bureau of Vital Statistics

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

Approved by Commissioner: *John 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)