

HB

2

HB2 - ACCESS TO MEDICAL HISTORY OF ADOPTED PERSONS

HB2 amends the Vital Statistics Act (AS 18.50) by allowing adoptive parents or adopted person access to medical history of biological parents. Requires the Department of Health and Social Services, child adoption agency, or person who places child for adoption to furnish the state registrar with required information.

CSHB2 (HESS) requires a person or agency petitioning for adoption to attempt to obtain medical information from parents of adopted child (original bill simply required person or agency to obtain the information.) Also deletes language that stated a person "authorized by law" to place a person for adoption to furnish information (now a person placing a person for adoption would be required to furnish information.)

CSHB2 (JUD) changes statute numerical references in the bill, but makes no substantive change.

CSHB2 (JUD) pass the House on March 18 by vote of 39-0-1.

AP



Finance Committee
Oil and Gas Committee

Alaska State Legislature

House of Representatives

Representative Mike Szymanski

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While in Session:
Pouch V

State Capitol
Juneau, Alaska 99811
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March 8, 1985

TO: HOUSE FINANCE COMMITTEE
FROM: Representative Mike Szymanski
SUBJECT: HB 2, relating to adoption medical records

This legislation, which I first introduced two years ago, has been endorsed by both the Alaska Department of Health and Social Services and the Alaska Court System.

Under present statute, there is no provision which would make 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 the following:

1. the legislation would require that information relating to the medical history of an adopted child be collected and recorded on a form provided by the Department of Health and Social Services and attached to the adoption records at the time of adoption. This would be for all adoptions -- through a private individual such as an attorney, a private agency or a state agency.
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.

This bill has had hearings in the House HESS Committee and the House Judiciary Committee. In both cases, a committee substitute was adopted and changes were made that were technical in nature, to "clean up" the language of the legislation. An explanation follows of the changes:

CSHB 2 (HESS), changed the language on Page 1, lines 18 & 28 from "a person authorized by law to place a person for adoption" to "a person placing a person for adoption". The reasoning for this is that not all persons placing a child for adoption are required to be authorized by law. It is also consistent with the wording on Page 1, line 26 and Page 2, line 1. Additionally, the HESS CS changes the wording on Page 2, line 24 from "a person or agency petitioning for adoption shall obtain " to "shall attempt to obtain" in recognition of the fact that there will be times when this information is simply not available.

CSHB 2(Judiciary) Changes the statute reference in Section 1 from AS 18.50.500 and AS.50.510 and to AS 18.50.214, AS 18.50.216, respectively and changes the statute reference for the Definitions from AS 18.50.520 to AS 18.50.370 where it was deemed more appropriate.

The Department of Health and Social Services is supportive of these changes.

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.: ASH B 2 (JUP)
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			7			
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						

POSITIONS:

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

ANALYSIS: Attach a separate page if necessary

Prepared By: John P. Brooks (C)
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):

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