

SENATE BILL REPORT

SB 6576

As Reported By Senate Committee On:
Human Services & Corrections, January 30, 1996

Title: An act relating to certified statements concerning disclosure of adoption records to be filed with the courts by adult adoptees.

Brief Description: Protecting the privacy of adult adoptees.

Sponsors: Senators Schow, Prentice, Hale, McCaslin, Finkbeiner, Sellar, Moyer and Long.

Brief History:

Committee Activity: Human Services & Corrections: 1/30/96 [DPS].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: That Substitute Senate Bill No. 6576 be substituted therefor, and the substitute bill do pass.

Signed by Senators Hargrove, Chair; Franklin, Vice Chair; Kohl, Long, Moyer, Prentice, Schow, Strannigan, Thibaudeau and Zarelli.

Staff: Andrea McNamara (786-7483)

Background: Current law prohibits the disclosure of any identifying information about an adoptee from the files of the Department of Social and Health Services (DSHS), adoption agencies, and the court, except under limited circumstances.

Copies of an adopted person's birth certificate on file with the Department of Health (DOH) must be provided to an adoptee's birth parents and, for adoptions after October 1, 1993, to adult adoptees unless the birth parents have filed an affidavit of non-disclosure.

Confidential intermediaries often assist birth parents and adopted people in locating their natural relatives through information they find on birth certificates and in court records.

Summary of Substitute Bill: A process is established for adult adoptees to file a certified statement with the Department of Health indicating their preferences with regard to having information released from their adoption records or being contacted by a confidential intermediary.

The statement is to be placed with the original birth certificate, or if no original birth certificate is on file in Washington, then in a separate reference registry. A certified statement may be rescinded or amended by the adult adoptee at any time by filing a new certified statement.

The court is directed to consider the certified statement when deciding whether good cause exists to open a sealed adoption file.

Birth parents who seek the appointment of a confidential intermediary to assist in searching for an adult adoptee must include in their petition whether a certified statement is on file and, if so, what preferences are expressed in it.

Substitute Bill Compared to Original Bill: The substitute bill changes the location for filing the certified statement from the court to the Department of Health.

Other technical changes are made clarifying that, when requested in the certified statement, adoption records must remain confidential unless a court order directs them to be opened.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: This bill creates a workable solution for protecting the privacy rights of adult adoptees to the same extent as those of birth parents.

Testimony Against: None.

Testified: Laurie Lippold, Children's Home Society (pro); Margaret Casey, Catholic Conference (pro).