
SENATE BILL 5976

State of Washington

57th Legislature

2001 Regular Session

By Senator Prentice

Read first time 02/12/2001. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to maintaining grandparents' information with birth
2 records; amending RCW 70.58.080; adding a new section to chapter 70.58
3 RCW; and creating a new section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** (1)(a) As the legislature has previously
6 declared in RCW 13.34.130 and elsewhere, children needing out-of-home
7 placement should be placed with a suitable relative when one is
8 available. The process of locating relatives can be complicated by
9 lack of information, including full legal names, dates, and places of
10 birth, and former addresses.

11 (b) The legislature recognizes that adult adoptees adopted after
12 October 1993 have a right to their original birth certificate upon
13 turning eighteen years of age, if no affidavit of nondisclosure has
14 been filed, according to RCW 26.33.345. An adult adoptee who is
15 interested in locating birth parents and other relatives may be able to
16 use the information on his or her birth certificate to aid in the
17 search.

18 (c) The legislature finds that foster children who have turned
19 eighteen lose most of their state support. These foster children are

1 in need of adult support, and may be interested in contacting family
2 members, but may not know how to locate them. The legislature finds
3 that former foster children often have family willing to provide
4 support, but the former foster child may have difficulty locating them
5 if legal names are not known.

6 (2) It is the intent of the legislature:

7 (a) To make it easier for child welfare services to locate
8 relatives for out-of-home placement by expanding the information
9 available from birth records to include grandparents' information;

10 (b) To make it easier for adult adoptees and children who have aged
11 out of foster care to locate relatives by providing access to known
12 grandparents' information as well as parents' information;

13 (c) That grandparents' information be solicited and provided on a
14 voluntary basis during the data collection for birth certificates.

15 NEW SECTION. **Sec. 2.** A new section is added to chapter 70.58 RCW
16 to read as follows:

17 (1) The department shall, by rule, develop a procedure for storing
18 voluntary grandparents' information with the birth certificate, whether
19 on the certificate itself in a new section, or only in data base form.
20 The requested information shall include:

21 (a) The full legal names of the grandparents;

22 (b) The date and place of birth of the grandparents; and

23 (c) The current address of the grandparents.

24 (2) The department's procedure shall require the attending
25 physician, midwife, or his or her agent to request grandparents'
26 information from the parent or parents of a newborn. When requesting
27 information for birth certificates, the attending physician, midwife,
28 or his or her agent shall inform the parent or parents that providing
29 grandparents' information is voluntary and that if it is provided it
30 will be stored with the birth certificate and could be used as contact
31 information in out-of-home placement proceedings or by adult adoptees
32 or former foster children.

33 (3) The department shall develop informational and educational
34 materials for hospitals, midwives, and the department of social and
35 health services and local registrars to inform health care and social
36 workers of requirements and information resources provided under this
37 section.

1 (4) Nothing in this section may be construed to affect existing
2 legal rights of any person, whether a child, parent, or grandparent.

3 (5) For the purposes of this section, "grandparent" means the
4 person or persons listed on the birth certificate of the parent or
5 parents of the child whose grandparents' information is being
6 requested.

7 **Sec. 3.** RCW 70.58.080 and 1997 c 58 s 937 are each amended to read
8 as follows:

9 (1) Within ten days after the birth of any child, the attending
10 physician, midwife, or his or her agent shall:

11 (a) Fill out a certificate of birth, giving all of the particulars
12 required, including: (i) The mother's name and date of birth, and (ii)
13 if the mother and father are married at the time of birth or the father
14 has signed an acknowledgment of paternity, the father's name and date
15 of birth; and

16 (b) File the certificate of birth together with the mother's and
17 father's social security numbers, and any voluntarily provided
18 grandparents' information, with the state registrar of vital
19 statistics.

20 (2) The local registrar shall forward the birth certificate, any
21 signed affidavit acknowledging paternity, (~~and~~) the mother's and
22 father's social security numbers, and any voluntarily provided
23 grandparents' information, to the state office of vital statistics
24 pursuant to RCW 70.58.030.

25 (3) The state registrar of vital statistics shall make available to
26 the division of child support the birth certificates, the mother's and
27 father's social security numbers and paternity affidavits.

28 (4) Upon the birth of a child to an unmarried woman, the attending
29 physician, midwife, or his or her agent shall:

30 (a) Provide an opportunity for the child's mother and natural
31 father to complete an affidavit acknowledging paternity. The completed
32 affidavit shall be filed with the state registrar of vital statistics.
33 The affidavit shall contain or have attached:

34 (i) A sworn statement by the mother consenting to the assertion of
35 paternity and stating that this is the only possible father;

36 (ii) A statement by the father that he is the natural father of the
37 child;

1 (iii) A sworn statement signed by the mother and the putative
2 father that each has been given notice, both orally and in writing, of
3 the alternatives to, the legal consequences of, and the rights,
4 including, if one parent is a minor, any rights afforded due to
5 minority status, and responsibilities that arise from, signing the
6 affidavit acknowledging paternity;

7 (iv) Written information, furnished by the department of social and
8 health services, explaining the implications of signing, including
9 parental rights and responsibilities; and

10 (v) The social security numbers of both parents.

11 (b) Provide written information and oral information, furnished by
12 the department of social and health services, to the mother and the
13 father regarding the benefits of having the child's paternity
14 established and of the availability of paternity establishment
15 services, including a request for support enforcement services. The
16 oral and written information shall also include information regarding
17 the alternatives to, the legal consequences of, and the rights,
18 including, if one parent is a minor any rights afforded due to minority
19 status, and responsibilities that arise from, signing the affidavit
20 acknowledging paternity.

21 (5) The physician or midwife or his or her agent is entitled to
22 reimbursement for reasonable costs, which the department shall
23 establish by rule, when an affidavit acknowledging paternity is filed
24 with the state registrar of vital statistics.

25 (6) If there is no attending physician or midwife, the father or
26 mother of the child, householder or owner of the premises, manager or
27 superintendent of the public or private institution in which the birth
28 occurred, shall notify the local registrar, within ten days after the
29 birth, of the fact of the birth, and the local registrar shall secure
30 the necessary information and signature to make a proper certificate of
31 birth.

32 (7) When an infant is found for whom no certificate of birth is
33 known to be on file, a birth certificate shall be filed within the time
34 and in the form prescribed by the state board of health.

35 (8) When no putative father is named on a birth certificate of a
36 child born to an unwed mother the mother may give any surname she so

1 desires to her child but shall designate in space provided for father's
2 name on the birth certificate "None Named".

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