

SHB 1525 - S COMM AMD

By Committee on Human Services & Corrections

ADOPTED 04/16/2013

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 26.33.345 and 1993 c 81 s 3 are each amended to read
4 as follows:

5 (1) The department of social and health services, adoption
6 agencies, and independent adoption facilitators shall release the name
7 and location of the court where a relinquishment of parental rights or
8 finalization of an adoption took place to an adult adoptee, a birth
9 parent of an adult adoptee, an adoptive parent, a birth or adoptive
10 grandparent of an adult adoptee, or an adult sibling of an adult
11 adoptee, or the legal guardian of any of these.

12 (2) The department of health shall make available a noncertified
13 copy of the original birth certificate of a child to the child's birth
14 parents upon request.

15 (3)(a) For adoptions finalized after October 1, 1993, the
16 department of health shall ~~((make available))~~ provide a noncertified
17 copy of the original birth certificate to ~~((the adoptee after the
18 adoptee's eighteenth birthday unless the birth parent has filed an
19 affidavit of nondisclosure))~~ an adoptee eighteen years of age or older
20 upon request, unless the birth parent has filed an affidavit of
21 nondisclosure before the effective date of this section or a contact
22 preference form that indicates he or she does not want the original
23 birth certificate released: PROVIDED, That the affidavit of
24 nondisclosure, the contact preference form, or both have not expired.

25 (b) For adoptions finalized on or before October 1, 1993, the
26 department of health may not provide a noncertified copy of the
27 original birth certificate to the adoptee until after June 30, 2014.
28 After June 30, 2014, the department of health shall provide a
29 noncertified copy of the original birth certificate to an adoptee
30 eighteen years of age or older upon request, unless the birth parent

1 has filed a contact preference form that indicates he or she does not
2 want the original birth certificate released: PROVIDED, That the
3 contact preference form has not expired.

4 (c) An affidavit of nondisclosure expires upon the death of the
5 birth parent.

6 (4)(a) Regardless of whether a birth parent has filed an affidavit
7 of nondisclosure or when the adoption was finalized, a birth parent may
8 at any time complete a contact preference form stating his or her
9 preference about personal contact with the adoptee, which, if
10 available, must accompany an original birth certificate provided to an
11 adoptee under subsection (3) of this section.

12 (b) The contact preference form must include the following options:

13 (i) I would like to be contacted. I give the department of health
14 consent to provide the adoptee with a noncertified copy of his or her
15 original birth certificate;

16 (ii) I would like to be contacted only through a confidential
17 intermediary as described in RCW 26.33.343. I give the department of
18 health consent to provide the adoptee with a noncertified copy of his
19 or her original birth certificate;

20 (iii) I prefer not to be contacted and have completed the birth
21 parent updated medical history form. I give the department of health
22 consent to provide the adoptee with a noncertified copy of his or her
23 original birth certificate; and

24 (iv) I prefer not to be contacted and have completed the birth
25 parent updated medical history form. I do not want a noncertified copy
26 of the original birth certificate released to the adoptee.

27 (c) If the birth parent indicates he or she prefers not to be
28 contacted, personally identifying information on the contact preference
29 form must be kept confidential and may not be released.

30 (d) Nothing in this section precludes a birth parent from
31 subsequently filing another contact preference form to rescind the
32 previous contact preference form and state a different preference.

33 (e) A contact preference form expires upon the death of the birth
34 parent.

35 (5) If a birth parent files a contact preference form, the birth
36 parent must also file an updated medical history form with the
37 department of health. Upon request of the adoptee, the department of

1 health must provide the adoptee with the updated medical history form
2 filed by the adoptee's birth parent.

3 (6) Both a completed contact preference form and birth parent
4 updated medical history form are confidential and must be placed in the
5 adoptee's sealed file.

6 (7) If a birth parent files a contact preference form within six
7 months after the first time an adoptee requests a copy of his or her
8 original birth certificate as provided in subsection (3) of this
9 section, the department of health must forward the contact preference
10 form and the birth parent updated medical history form to the address
11 of the adoptee.

12 (8) The department of health may charge a fee not to exceed twenty
13 dollars for providing a noncertified copy of a birth certificate to an
14 adoptee.

15 (9) The department of health must create the contact preference
16 form and an updated medical history form. The contact preference form
17 must provide a method to ensure personally identifying information can
18 be kept confidential. The updated medical history form may not require
19 the birth parent to disclose any identifying information about the
20 birth parent.

21 (10) If the department of health does not provide an adoptee with
22 a noncertified copy of the original birth certificate because a valid
23 affidavit of nondisclosure or contact preference form has been filed,
24 the adoptee may request, no more than once per year, that the
25 department of health attempt to determine if the birth parent is
26 deceased. Upon request of the adoptee, the department of health must
27 make a reasonable effort to search public records that are accessible
28 and already available to the department of health to determine if the
29 birth parent is deceased. The department of health may charge the
30 adoptee a reasonable fee to cover the cost of conducting a search."

ADOPTED 04/16/2013

1 On page 1, line 2 of the title, after "information;" strike the
2 remainder of the title and insert "and amending RCW 26.33.345."

EFFECT: Includes the public records search provision from the House bill and adopts the Senate bill process for releasing birth certificates to adoptees; expands on the options that a birth parent may select on the contact preference form to include language about whether the birth parent consents to the release of the original birth certificate; amends language from "adopted person" to "adoptee" to better match the rest of the chapter; removes provision requiring DOH to place the contact preference form and updated medical history form in a secure file until it can be placed in the sealed file.

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