

HCS HB 1599 -- ADOPTEE RIGHTS ACT

SPONSOR: Phillips

COMMITTEE ACTION: Voted "Do Pass with Amendments" by the Standing Committee on Children and Families by a vote of 9 to 3. Voted "Do Pass with HCS" by the Select Committee on Social Services by a vote of 9 to 0.

This bill specifies that an adopted individual, his or her attorney, or descendants may apply for an original copy of his or her birth certificate. The applicant must be at least 18 years of age; was born in this state; and provide appropriate proof of identification to the state registrar.

The state registrar may impose a waiting period and fee that are identical to the fees and waiting period for a non-adopted birth certificate request. The uncertified copy of the original birth must have the following statement printed on it: "For genealogical purposes only - not to be used for establishing identity".

The bill creates a contact preference form and medical history form to be completed by a birth parent and attached to the original birth certificate of the adopted person. The bill delineates processes to be followed for each form, when an adopted person is able to obtain a copy of a redacted original birth certificate, and when an adopted person is able to obtain an unaltered original birth certificate. The bill requires a public notification period that such forms exist, and prohibits the provision of original birth certificates under the provisions of the bill before May 1, 2017, unless the adopted person was born before 1941.

This bill is similar to HB 647 (2015).

PROPOSERS: Supporters say that the bill gives Missouri-born adoptees the ability to get a copy of their original birth certificate without first obtaining a court order. The bill is an equal protection bill for people who just want to know from where they came. There are over 500,000 adoptees in Missouri alone because Missouri was a hub of homes for unwed mothers due to its central location and ease of access. Each county organizes documents differently, so it's very confusing to try and go through the court system. The original birth certificate is available through the State Registrar in a central location. These are very basic records that should not require the hiring of an attorney to obtain.

Testifying for the bill were Representative Phillips; Danika Donatti, Missouri Adoptee Rights Movement; Heather Dodd, Missouri

Adoptee Rights Movement; Daniel Kellogg; Bonnie Kitchen; Dorthey Gillespie; Carolyn Pooler; Marjorie Wiederholt; Cathy Goff; Edwin Magnusson; Dianne Magnusson; Donna R. Collins; Karen Lynch; Michele A. Newell; Sara Rummerfield; Ina Lewis; and Rich Uhrlaub, Adoptees In Search - Colorado's Triad Connection.

OPPONENTS: Those who oppose the bill say that 40% of birth parents do not consent to being contacted by their adopted child. The reasoning varies by individual but can open some old wounds and bring up issues of which the birth parent is still not ready to face. Many birth parents who object to contact are shocked because they believed the records are sealed and their information is unavailable. The biggest problem with the bill is that it acts retroactively.

Testifying against the bill were Missouri Catholic Conference; Laura Long; and Adoption and Foster Care Coalition of Missouri.

OTHERS: Others testifying on the bill say that both sides of the argument are very compelling. The biggest issue is weighing the right of the birth parent to anonymity and the right of the adopted person to know his or her history. Adopted persons are the only individuals actively prevented from accessing their birth parents.

Testifying on the bill was Elizabeth Ehlen, A Gift of Hope Adoptions.