

ALLOW ADOPTED INDIVIDUAL TO OBTAIN A COPY OF ORIGINAL CERTIFICATE OF LIVE BIRTH

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House Bill 4896 without amendment

Sponsor: Rep. Lisa Wojno

Committee: Families and Children's Services

Complete to 3-17-08

A REVISED SUMMARY OF HOUSE BILL 4896 AS REPORTED FROM COMMITTEE

The bill would amend the Public Health Code by adding Section 2832a to allow an adopted individual born in this state who is 21 years or older to obtain a certified copy of his or her original certificate of live birth that was sealed from inspection under the Code.

Application Procedure. Upon receipt of a written application, the state registrar would be required to issue to the adopted individual a certified copy the original certificate of live birth. The standard procedures and fees currently applicable to an applicant for a certified copy would apply to the adopted individual. The copy of the original certificate of live birth would have the following phrase marked on the face of the copy: "This document is a copy of a sealed record and is not the active birth certificate of the individual whose name appears on this document."

Contact Preference Form Procedure. At any time a birth parent of an adopted individual born in this state could submit to the State Registrar a contact preference form. Upon receipt of the form from a birth parent, the State Registrar would be required to match the contact preference form with the adopted individual's sealed record and file the form with the original certificate of live birth that was sealed from inspection. A contact preference form that has been submitted by a birth parent to the State Registrar would be confidential and would be placed in the adopted individual's sealed file until issued as provided under this section.

If a certified copy of an adopted individual's original certificate of live birth is issued, the State Registrar would also be required to issue to the adopted individual a copy of the contact preference forms in the file at the time of issuance.

Contact Preference Form. The Department of Community Health would be required to prescribe the contact preference form to be completed at the option of the birth parent. The form would include the following to be completed by the birth parent

(a) I would like to be contacted.

(b) I would prefer to be contacted only through a confidential intermediary as provided in the Probate Code.

(c) I prefer not to be contacted at this time. If I decide later that I would like to be contacted, I will register with the Central Adoption Registry established in the Probate

Code. I have completed an updated medical history as part of this contact preference form.

MCL 333.2832a

FISCAL IMPACT:

House Bill 4896 will have a fiscal impact on the Department of Community Health. The costs are dependent upon the number of eligible adopted persons who seek to obtain a birth certificate from the Department under this provision, for which the current standard fee pursuant to statute is \$26. At this time we do not have information indicating the total number of persons affected by this bill. In Oregon, 9,200 adult adoptees received copies of original birth certificates over the first 6 years after access was opened, and 2,700 persons in Alabama over the first 7 years. These numbers may be significantly higher in Michigan, based on available history of adoption placements.

Currently, the costs of vital records program services exceed the fee revenue of the program. The costs to the Department of providing this service and establishing forms and procedures will have to be supported by the fee revenue, and by existing revenue of the Department or additional state funding if demand is significant. The Department indicates that as currently written the bill will require vital records electronic system revisions having one-time up-front costs of \$120,000 to \$350,000.

POSITIONS:

Adoption Support Groups testified in support of the bill. (3-5-08)

The following organizations submitted written testimony in support of the bill on 3-5-08: Adoption Identity Movement of Michigan, Inc.; Evan B. Donaldson Adoption Institute, New York, NY; Origins-USA, Richmond, VA; Relapse Prevention Services, Albuquerque, NM.

Department of Community Health is neutral on the bill. (3-5-08)

Family Law Section of the State Bar has not taken a position on the bill as of 3-5-08.

The National Council for Adoption submitted written testimony in opposition to the bill.(3-5-06)

Michigan Family Forum opposes the bill. (3-5-08)

Right to Life of Michigan opposes the bill. (3-5-08)

Legislative Analyst: E. Best
Fiscal Analyst: Susan Frey

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.