

Preliminary Implementation Report – April 1, 2014



IT'S NOT 1964 ANYMORE!

ADOPTION NETWORK CLEVELAND

OHIO'S ADOPTION RECORDS LAWS ARE CHANGING!
Go to www.AdoptionNetwork.org for more info.

Birth Certificate Access for Ohio Adoptees

Please share this graphic widely from Adoption Network Cleveland's Facebook page.



The lead organization and the source for information moving forward

For 25 years, Adoption Network Cleveland has worked to allow access to original birth certificates for all Ohio-born adoptees. In 2013 we had a major success when Governor John Kasich signed Substitute Senate Bill 23 into law on December 19th. This new law gives 400,000 adult adoptees adopted between 1964 and 1996 access to their original birth certificates. This important legislation is the result of hard work by many people over the years and it has finally paid off. Adoption Network Cleveland Executive Director Betsie Norris began this advocacy work in 1988, when she founded the organization, and has followed it through to its success.



The campaign name



The grass-roots organization formed to implement the campaign

We are sure that many of you have questions about what happens next.



The law that allows Ohio adoptees, adopted between 1964 and 1996, access to their original birth certificates has been a legislative priority since the founding of Adoption Network Cleveland in 1988. We are very excited to have achieved this goal!

Large photo above: Ohio Governor John R. Kasich signs adoptee rights legislation into law on December 19, 2013. With Gov. Kasich are Bill Sponsors – left to right: Sen. Bill Beagle, Rep. Dorothy Pelanda and Sen. Dave Burke. Another sponsor, Rep. Nickie Antonio, is not pictured.



Above: Gov. Kasich reaches out to hug Betsie Norris in recognition of her 25 years of advocacy for adoptee rights, saying “We should have done this 20 years ago.”

Important Dates

From the date of signing (December 19, 2013) there is a 15-month implementation period for the provisions in Sub SB 23:

- On March 20, 2014 birthparent forms were made available – Contact Preference Form, Name Redaction Form, and Medical/Social History Form.
- The Name Redaction Form is only available for use from March 20, 2014 to March 19, 2015. If used, it must be notarized and updated medical/social history must be submitted.
- On March 20, 2015 adoptees can request their original birth certificates from the Ohio Department of Health, Division of Vital Statistics. Requests will only be processed through US Mail.

Frequently Asked Questions

Q: What does this new law do?

A. Ohio adoptees adopted from January 1, 1964 to September 18, 1996, can access their original birth certificates starting on March 20, 2015. This allows for a three-month enactment period from the bill signing date, plus a one-year period for birthparents to indicate their wishes for contact – through a Contact Preference Form and a time-limited name redaction option – and provide a current medical/social history. The new law also repeals the old Ohio Adoption Registry, popularly known as the mutual consent registry.

Q: What adoption records does the new law affect?

A. The law pertains only to the records held at the Ohio Department of Health, Division of Vital Statistics in Columbus. Upon request, the adoptee (age 18 or older), will receive the documents in their Vital Statistics file. These documents typically include the adoptee’s original birth certificate, adoption decree and amended birth certificate. The birth

certificates are stamped “For Statistical Use Only” as they are not certified copies. If the birthparent has filed a Contact Preference Form and/or an updated medical/social history, those will be released along with the record. In addition, if there are any old Ohio Adoption Registry release forms in the file, those will also be released. The law does not affect what the adoption agency or adoption attorney can give the adoptee, which is termed “non-identifying” information.

Q: Why does the new law only affect records in adoptions from 1964 to 1996?

A. The Vital Statistics file is already available under Ohio law to adoptees adopted before January 1, 1964. In adoptions after September 18, 1996, the record is also already open to the adoptee (at age 21 and to the adoptive parents of an adoptee age 18-20) unless the birthparent has asked that it be withheld.

Q. Does this law impact adoptees born in Ohio, but adopted in other states? What about adoptees born in other states, but adopted in Ohio?

A. Adoptees with multi-state adoptions often “fall through the cracks” regarding which state’s laws apply. The new law does specify that it applies to adoptees born in Ohio but adopted in other states – those adoptees will be able to get their original Ohio birth certificate. However because Ohio would not have the original birth certificate of adoptees born elsewhere, those could not be included in this law.

Q: Tell me more about the Contact Preference Form (CPF) and how that works?

A. The CPF created in the new law creates a mechanism for birthparents to express their wishes about contact. It is a voluntary form that has three options for birthparents to choose from: 1) A birthparent can express a desire for contact and provide

personal contact information; 2) A birthparent can express desire for contact and provide contact information for a third party of their choosing. The adoptee can contact the birthparent through the third party; 3) A birthparent can express their desire not to be contacted. The form encourages a birthparent to file a medical/social history form, and indicates to the adoptee if this has been done. There is a place for the birthparent to write any personal comments they choose. If the CPF is on file at Vital Statistics, it will be released to the adoptee with the contents of the adoption file. Birthparents can only submit this form for themselves. They cannot submit it on behalf of the other birthparent.

Q: Tell me more about the birthparent name redaction provision? Why is this in the new law?

A. Senate Bill 23 was originally crafted with only the birthparent Contact Preference Form. This original version of the bill was the subject of the hearings in the House and the Senate through the spring of 2013. The bill then stalled and looked like it would not pass the Senate unless further provisions were added. At that point, a birthparent name redaction provision was added. The birthparent redaction provision gives a one-year period in which a birthparent can voluntarily come forward to file a form requesting that their name be removed from the version of the original birth certificate that is released to the adoptee. For the redaction form to be accepted by Vital Statistics, the birthparent must also complete a current medical/social history form. This provision expires in March 2015 before the records become available to the adoptee – a birthparent can no longer file a redaction form after that point. A birthparent who had filed a reaction form can come back at any time to remove it. If a redaction form is present and the adoptee requests their birth certificate, the full birth certificate will be released, minus the birthparent’s name. The medical/social history form provided by the birthparent will also be released to the adoptee.

Q: What will be the process to request my original birth certificate?

A. Ohio Department of Health is only going to fulfill requests through US Mail. The form for the adoptee to use to request their record will be available in March 2015.

Q: Can I send my request to the Ohio Department of Health now – before the new forms have been published by the Ohio Department of Health?

A. No. The Ohio Department of Health has told us that they cannot honor requests they are getting currently – you must wait until the specific process is rolled out for your request to be valid. If you have already sent in an early request to ODH, you will

need to request again with the new forms when the window officially opens. For updates, stay tuned to www.AdoptionNetwork.org and Adoption Network Cleveland on Facebook.

Q: Will there be a cost to receive my birth certificate?

A. The cost will be the same as adoptees pay now for the pre-1964 adoptee access, which is \$20.Cleveland on facebook.

Q: I’m interested in searching. Do I need to wait until March 2015 to start?

A. No, adoptees from all years can and do search very successfully. One way to get started is to join Adoption Network Cleveland for assistance. It can be helpful to attend the General Support and Discussion Meetings to get additional support along the way from others who are walking the journey of adoption and search. If you live out of state and cannot attend one of Adoption Network Cleveland’s General Support and Discussion Meetings, go to: www.AmericanAdoptionCongress.org, and see bottom right: Support Groups by State.

Q. I’m interested in finding post-adoption support in Ohio. Where can I find help?

A. Adoption Network Cleveland and Ohio Birthparent Group offer monthly support groups for birthparents, adoptees, adoptive parents and others who want to learn more about the lifelong experience of adoption. They also have groups that are open to family members and friends. These groups provide resources, community and support. For groups in Cleveland and Columbus, visit www.AdoptionNetwork.org – for groups in Columbus and Cincinnati, visit www.ohiobirthparents.org



Stay tuned to www.AdoptionNetwork.org for updates!

If you have other questions, contact us at: (216) 325-1000 or info@AdoptionNetwork.org

Adoption Network Cleveland
4614 Prospect Avenue, Suite 550
Cleveland, Ohio 44103

Infographics created to visually map out details, steps and options for those impacted by the new law can be downloaded from www.AdoptionNetwork.org

ATTENTION OHIO BIRTHPARENTS
OHIO'S NEW ADOPTION LAW
GOES INTO EFFECT ON MARCH 19, 2015
HOW WILL IT IMPACT YOU?

Was your child placed for adoption BEFORE September 18, 1996?

- YES:** If your adult child requests their file, would you like them to know how to reach you?
 - YES (would like them to know):** Fill out Contact Preference Form, Option 1 to provide contact information of a friend, family member or other trusted third party that your child can contact.
 - YES (but not directly):** Fill out Contact Preference Form, Option 2 to provide contact information of a friend, family member or other trusted third party that your child can contact.
 - NO:** If your adult child requests their file, are you OK with your name being released?
 - YES:** Fill out the Birthparent Name Redaction Form. Once child file will be released to them with your name removed.
 - NO:** This option is only available if your adoption was between 1/16/70-1/16/76. The redaction form will be available only until 02/19/15.
- NO:** As the time of adoption, you were assigned an adopterwork personnel who gave you a child from the agency (then adoptee) file or the agency (then adoptee) file and you have since had a change of heart, submit an Authorization of Release Form for Biological Parents.

ADOPTEE WINDOW OPENS MARCH 19, 2015
BIRTHPARENT WINDOW OPENS MARCH 20, 2015

You can change your choice at anytime by filing a new form.

With Contact Preference Form Options 1 & 2, the Medical History Form is OPTIONAL.
With the Birthparent Name Redaction Form, the Medical History Form is MANDATORY.

Support available if you would like to talk to someone about these choices or birthparent issues in general: www.adoptionnetwork.org (216) 325-1000 www.ohiobirthparents.org

ATTENTION OHIO ADOPTEE'S
OHIO'S NEW ADOPTION RECORDS LAW
WHAT TO DO & WHEN TO DO IT

DATE OF ADOPTION (RANGE)	START DATE	THINGS TO DO
All Years	NOW	EXPLORE YOUR SEARCH OPTIONS. FIND POST-ADOPTION SUPPORT GROUPS & RESOURCES. Non-profit organizations like Adoption Network Cleveland and Ohio Birthparent Group can help.
All Years	NOW	REQUEST YOUR NON-IDENTIFYING INFORMATION. If you are age 18 or older, you can locate more information about your personal history by Requesting Your Non-Identifying Information from the attorney or agency that facilitated your adoption. These requests can take months to process, so start today!
All Years	NOW	FILE AN AUTHORIZATION OF RELEASE OF ADOPTED NAME. If you are age 18 or older and want your adopted name to be released to your birthparents or siblings, you can file an Authorization of Release of Adopted Name (HEA 3008). If a birthparent or sibling files an application for Release of Adopted Name (HEA 3008), your adopted name can be released to them if your authorization is on file.
Dec. 31, 1963 and earlier	NOW	ADOPTION FILES HELD BY OHIO DEPARTMENT OF HEALTH ARE ALREADY OPEN TO ADOPTEE'S OF THIS ERA. REQUEST YOUR INFORMATION TODAY (FORM HEA 3011).
On/After Sept 18, 1996	SEPT 2015	ADOPTION FILES HELD BY OHIO DEPARTMENT OF HEALTH ARE ALREADY OPEN TO ADOPTEE'S OF THIS ERA. REQUEST YOUR INFORMATION TODAY (FORM HEA 3008).
1964-12-31, 1996	MARCH 2015	ADOPTEE WINDOW OPENS to begin requesting your adoption files from Ohio Department of Health (ODH). Do NOT submit requests to ODH before this date, as they will not be considered prior to opening day. More information about these request forms will be available closer to opening day of the Adoptee Window.

Support available if you would like to talk to someone about these choices or adoption issues in general: www.adoptionnetwork.org (216) 325-1000 www.ohiobirthparents.org

Please say *Thank You*
to the legislators
who made this new law
a reality:

Senate Sponsors

Sen. Bill Beagle

Senate Building
One Capitol Square
Columbus, OH 43215
(614) 466-6247
beagle@ohiosenate.gov

Sen. Dave Burke

Senate Building
One Capitol Square
Columbus, OH 43215
(614) 466-8049
burke@ohiosenate.gov

House Sponsors

Rep. Nickie Antonio

77 S. High St.
11th Floor
Columbus, OH 43215
(614) 466-5921
district13@oh.state.oh.us

Rep. Dorothy Pelanda

77 S. High St.
12th Floor
Columbus, OH 43215
(614) 466-8147
district86@oh.state.oh.us

Committee Chairs Who Supported HB 61 and SB 23

Sen. Shannon Jones, Chair, Senate Medicaid Health and Human Services Committee

Senate Building
One Capitol Square
Columbus, OH 43215
(614) 466-9737
jones@ohiosenate.gov

Rep. Jim Butler, Chair, House Judiciary Committee

77 S. High St.
13th Floor
Columbus, OH 43215
(614) 644-6008
district41@oh.state.oh.us

Governor John Kasich

Riffe Center, 30th Floor
77 South High Street
Columbus, OH 43215-6117
Phone: (614) 466-3555

Adoption Network Cleveland
4614 Prospect Avenue, Suite 550
Cleveland, Ohio 44103 • (216) 325-1000
www.AdoptionNetwork.org

Scan this QR Code
with your phone
for more information.



Adoption Network Cleveland's legislative page

Thank you to those who testified as proponents for passage. There was no testimony from any opponents.

See text of available testimony at
www.AdoptionNetwork.org/roar-2013.aspx

Sponsor Testimonies

Senator Bill Beagle, Sponsor
Senator Dave Burke, Sponsor
Representative Nickie Antonio, Sponsor
Representative Dorothy Pelanda, Sponsor

Testimonies submitted, by date:

House Judiciary Committee – March 6, 2013

Nancy Burley, Director, Adoption Circle
Adoption Agency
Jeff Costello, adoptee
Julia Derry, adoptee
Fred Greenman, Jr. J.D., Legal Adviser,
American Adoption Congress
Stephanie Krider, Director of Legislative
Affairs, Ohio Right to Life
Judge David Matia, adoptee, Judge,
Cuyahoga County Common Pleas Court
Erin Hopkins McHugh, adoptee
Jaime Miracle, Policy Director, NARAL
Pro-Choice Ohio
Adam Pertman, Executive Director, Evan B.
Donaldson Adoption Institute
Patricia Rideout, J.D., Chief Administrator,
Cuyahoga County Division of Children and
Family Services
Elizabeth Samuels, J.D., Professor of Law,
University of Baltimore School of Law
Denise St. Clair, J.D., Executive Director,
National Center for Adoption Law and Policy
at Capital University

House Judiciary Committee – March 13, 2013

Susan Anthony, birthmother
Sara Blubaugh, birthmother
Nikki Blackburn, birthmother
Joy Deken, birthmother
Mary Margaret Dick, birthmother
Sherry Goodrich, birthmother
Rita Lamb-Weaver, birthmother

Kate Livingston, birthmother, Director,
Ohio Birthparent Group
April Martin, birthmother
Betsie Norris, adoptee, Executive Director,
Adoption Network Cleveland
Kate Oatis, birthmother
Stephanie Olson, birthmother
Colleen Orsburn, birthmother
Linda M. Schellenstrager, adoptive mom
Jim Tobin, Associate Director, Catholic
Conference of Ohio

Senate Medicaid, Health and Human Services Committee – April 17, 2013

Wendy Barkett, adoptee
Paula Benoit, adoptee, former Maine State
Senator
Jeff Costello, adoptee
Julia Derry, adoptee
Charis Eng, M.D., Ph.D., founding Chair of
the Cleveland Clinic Genomic
Medicine Institute
Frederick Greenman Jr., J.D., Legal
Adviser, American Adoption Congress
Erin Hopkins McHugh, adoptee
Steve Kelly, adoptee
Sonya Kimball, adoptee
Kate Livingston, birthmother, Director, Ohio
Birthparent Group
Jaime Miracle, Policy Director, NARAL
Pro-Choice Ohio
Betsie Norris, adoptee, Executive Director,
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Patricia Rideout, J.D., Chief Administrator,
Cuyahoga County Division of Children and
Family Services
Elizabeth Samuels, J.D., Professor of Law,
University of Baltimore School of Law
Paul Schibbelhute, Legislative Chairman,
American Adoption Congress
Betsy Smalley, Co-Chair, Ohio Adoption
Planning Group
Kayla Smith, Director of Legislative
Affairs, Ohio Right to Life
Jim Tobin, Associate Director, Catholic
Conference of Ohio

Thank You to the Financial Donors to the ROAR! 2013 Campaign

Anonymous	Rebecca Drinnen	Betsie Norris
John Adams	Mary Garcia-Bengochea	Karen Pickell
American Adoption Congress	Anna Guy-Leach	Jim Putt
Susan Anthony	Erin Hopkins McHugh	Kathleen Sokolik
Sherri Appleton	Dr. Gregory Keck	Desiree Stephens
Sara Blubaugh	Sara Knight	Jacob Teschler
The Cleveland Foundation	April Martin	Traci Tucker
Lois Cole	Michael Martindale	Nicole Wilson
Victoria Dolinsky	Mary McClellan	Joseph Wing

This reflects donations made from January 1, 2013 - January 31, 2014. While we have made every effort to ensure the accuracy of this list, we apologize for any misspellings or omissions. Please inform us of any error, so that we can correct our records.