

Success in Ohio!

Preliminary Implementation Report – February 1, 2014



Birth Certificate Access for Ohio Adoptees

For 25 years, Adoption Network Cleveland has been working to bring 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.

We are sure that many of you have questions about what happens next. A very important step in the process is the development of the detailed forms and processes related to the implementation of the new law. Adoption Equity Ohio and its prime sponsor, Adoption Network Cleveland, are working with the State on implementation, and will continue to be strong resources for information as it becomes available.



**ADOPTION
NETWORK**
CLEVELAND™

The lead organization and the source for information moving forward

Roar!
2013

RESTORE OHIO ADOPTEE RIGHTS IN 2013!

The campaign name



The grass-roots organization formed to implement the campaign



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.



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!

Ohio is preparing the needed forms and processes from January through March 2014, so many administrative details are not yet available.



Important Dates

From the date of signing (12/19/13) there is a 15-month implementation period for the provisions in Sub SB 23:

- On **March 20, 2014** birthparents should be able to access the Contact Preference Form, the Redaction Form, and the Medical History Form.
- On **March 20, 2015** adoptees will be able to request their original birth certificates.

Frequently Asked Questions:

Q: What does this new law do?

A. Ohio adoptees adopted between 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 redaction option – and provide a current medical 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 effect?

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

updated medical history, those will be released along with the record. In addition, if there are any 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 effect 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 will encourage a birthparent to file a medical history form, and indicates to the adoptee if this has been done. If the CPF is on file at Vital Statistics, it will be released to the adoptee with the contents of their 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 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 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 history form. This provision expires in March 2015 when 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 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. We don't yet know what the exact process will be. We are working with the Ohio Department of Health and offering input on the process, and we are involved as the forms are being developed.

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 for details!

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

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

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. These meetings will be very helpful as you get ready to embark on this journey.

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 that want to learn more about the lifelong experience of adoption. They also have groups that are open to spouses, partners, siblings, extended family members and friends. These groups provide resources, community and support to people involved in adoption. They can be great places to learn more about how this new law will impact your family.

For groups in Cleveland and Columbus, visit www.adoptionnetwork.org

For groups in Columbus and Cincinnati, visit www.ohiobirthparents.org

Gov. Kasich reaches out to hug Betsie Norris in recognition of her 25 years of advocacy for adoptee rights.



Stay tuned to www.AdoptionNetwork.org for updates!

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

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

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Rep. Jim Butler, Chair, House Judiciary Committee

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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. Schellentrager, 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, Adoption Network Cleveland
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
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.