



Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Robert R. Neall, Secretary

February 20, 2020

The Honorable Luke Clippinger, Chairman
House Judiciary Committee
House Office Building, Room 101
Annapolis, MD 21401

RE: HB1039 – Adoption – Access to Birth and Adoption Records and Search, Contact and Reunion Services – Letter of Information

Dear Chairman Clippinger and Committee Members:

The Maryland Department of Health (Department) submits this letter of information for HB1039 – Adoption – Access to Birth and Adoption Records and Search, Contact and Reunion Services.

The Department's Vital Statistics Administration is the custodian of many of the vital records discussed in this bill. In the Committee's consideration of this bill, we respectfully ask the Committee to address the following items:

- Under current statute, adoptions that took place prior to 2000 are sealed, and are only made available under court order. This bill effectively unseals all of these records, without providing any ability for biological parents to block disclosure of their information. This would result in approximately 70,000 sealed records of individuals adopted between 1930 and 2000 to become immediately available to adoptees, without any ability of the biological parents to request a disclosure veto or to request redaction of their names.
 - There is no provision in the bill to notify these parents of this change.
- It also removes the ability to file disclosure vetoes for adoptions after 1999, so even those records sealed until age 21 (age 18 under this bill), would be unsealed and made available to parents and adoptees who request them (without redaction) as the adoptee reaches age 18.
- The Division of Vital Records would likely experience a substantial surge in requests for copies of original birth certificates. This would require additional staffing to support.

I hope this information is useful. If you would like to discuss this further, please contact Director of Governmental Affairs Webster Ye at (410) 260-3190 or webster.ye@maryland.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Robert R. Neall", with a long horizontal flourish extending to the right.

Robert R. Neall
Secretary