



## Wisconsin State Legislature

FOR MORE INFORMATION  
CONTACT: LUTHER OLSEN (800) 991-5541

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### **Improvements to the Adoption Records Search Program**

In 1982, birth parents, adoptees, and adoptive parents came together to create a program in Wisconsin that allows them to share information and reunite, if desired. The Adoption Records Search Program links original birth certificates to closed adoption records and maintains a record of every child adopted in the state. The program receives more than 400 requests for information each year. This session, I worked with Representative Todd Novak (R-Dodgeville) on legislation that expands access to medical information for adopted children through this program. Governor Scott Walker signed our bill (Senate Bill 386) into law in early February.

Our legislation makes four changes to the Adoption Records Search Program. First, it allows an adoptee to access their birth parent's information when the birth parent is deceased while maintaining the confidentiality of the other birth parent. The need for this change became apparent upon hearing the story of one young woman who applied to the Adoption Records Search Program with a request for updated health history information. She discovered that her birth mother died at a young age from ovarian cancer. While this young woman was provided with non-identifying information from her file, she had to petition the circuit court to have the program release the identity of her deceased mother so she could pursue finding additional medical history. By allowing the Adoption Records Search Program to release information regarding a deceased parent, an adoptee is able to save money and time because they do not have to go through the court system to get the information.

The second change contained in the legislation is that adoptees would no longer be required to have a letter from a physician to obtain medical or genetic information. This change opens the

door for adoptees who do not have health insurance or cannot afford to make an appointment with a doctor to ask for a letter explaining that it would be helpful to have updated health history.

Sometimes, a birth parent is interested in getting in touch with an adult adoptee, but does not want their information released for fear of how their family would react if the adoptee contacted them. This new law allows an adult adoptee to file an affidavit to allow the Adoption Search Program to release their information to their birth parent upon the parent's request as long as it does not breach the confidentiality of another legally identified birth parent. One story we heard was a birth mother who wanted to be able to contact the adoptee, but she was concerned about how her husband would react, so she didn't want her address or phone number released. She asked the Adoption Record Search Program if she could contact the adoptee, who had indicated she was willing to allow her information to be released to her birth mother. However, current law prohibited the program from releasing that information, even though they knew both parties were interested in contact.

The final change helps the children of adoptees obtain medical or genetic information when their parent has died. Our new law allows a parent or guardian of a minor child of a deceased adoptee to request this information on their behalf. There have been several situations in which the minor child of an adoptee has a genetic medical condition and the adoptee is deceased. The deceased adoptee's spouse was unable to request the adoption record or reach out to birth parents for updated family health history.

The Adoption Records Search Program is a good program that was started by the very people it serves. The changes made in this new law will improve the program and provide a way for information to be released for adoptees to get appropriate medical treatment. It will also provide a balance between protecting the rights and privacy of a living biological parent with an adoptee's search for pertinent medical and genetic information, and interest in being able to be contacted by their birth parent. Last year, the program received approximately 50 requests for information regarding deceased parents, requests the program was not able to grant. With this new law, those requests can be granted giving adoptees and birth parents access to information they need and want.

*If you have any questions about any of the information I have included or if you have suggestions on other topics or issues you would like learn more about, you may call my office toll-free at (800) 991-5541; write me at P.O. Box 7882, Madison, WI 53708; or e-mail me at: [Sen.Olsen@legis.state.wi.us](mailto:Sen.Olsen@legis.state.wi.us). You can also sign up for our newsletter at our website: <http://www.legis.state.wi.us/senate/sen14/news/index.htm>.*

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