Birth Certificate Access for Ohio Adoptees

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.

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

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Infographics created to visually map out details, steps and options for those impacted by the new law can be downloaded from www.AdoptionNetwork.org
Please say Thank You to the legislators who made this new law a reality:

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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
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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

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

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
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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

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Representative Nickie Antonio, Sponsor
Representative Dorothy Pelanda, Sponsor

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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.

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Scan this QR Code with your phone for more information.

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