

Reprinted

FEB 27 1992

SENATE FILE 2203

BY COMMITTEE ON HUMAN RESOURCES

Approved (p. 470)

(SUCCESSOR TO SSB 2185)

Passed Senate, Date 3/13/92 (p. 762) Passed House, Date 4/21/92 (p. 1678)
 Vote: Ayes 46 Nays 0 Vote: Ayes 99 Nays 0
 Approved April 27, 1992

A. BILL FOR

1 An Act relating to the availability of adoption records for the
 2 purpose of research or treatment of a patient in a medical
 3 facility.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

5
6

SENATE FILE 2203

S-5195

- 1 Amend Senate File 2203 as follows:
 2 1. Page 1, line 2, by striking the words
 3 "unnumbered paragraph 2,".
 4 2. Page 1, by inserting after line 3 the fol-
 5 lowing:
 6 "c. Any person approved by the department if the
 7 person uses this information solely for the purposes
 8 of conducting a legitimate medical research project or
 9 of treating a patient in a medical facility."
 10 3. Page 1, line 22, by inserting after the word
 11 "legitimate" the following: "medical".
 12 4. Title page, line 2, by inserting after the
 13 words "purpose of" the following: "medical".

By ELAINE SZYMONIAK

S-5195 FILED MARCH 11, 1992

Adopted 3/13 (p. 762)

SF 2203

1 Section 1. Section 600.16, subsection 1, paragraph c,
2 unnumbered paragraph 2, Code Supplement 1991, is amended to
3 read as follows:

4 Information regarding an adopted person's existing medical
5 and developmental history and family medical history, which
6 meets the definition of background information in section
7 600.8, subsection 1, paragraph "c", ~~but which was compiled~~
8 ~~prior to July 1, 1976~~, shall be made available as provided in
9 this subsection. However, the identity of the adopted
10 person's natural parents shall not be disclosed.

11 Sec. 2. Section 600.24, Code 1991, is amended to read as
12 follows:

13 600.24 ACCESS TO RECORDS.

14 The department may allow access to adoption records held by
15 it the department or an agency if all of the following
16 conditions are met:

17 ~~a. The records were compiled prior to January 1, 1977;~~

18 b a. The identity of the natural parents of the adopted
19 person is concealed from the person gaining access to the
20 records; ~~and~~.

21 e b. The person gaining access to the records uses them
22 solely for the purposes of conducting a legitimate research
23 project or of treating a patient in a medical facility.

24 EXPLANATION

25 This bill eliminates the provisions in the Code which limit
26 access to records of adoptees regarding the family medical
27 history of the person to be adopted and of the person to be
28 adopted for research or treatment of a patient in a medical
29 facility to those compiled prior to July 1, 1976, or January
30 1, 1977.

31

32

33

34

35

SENATE FILE 2203
BY COMMITTEE ON HUMAN RESOURCES

(SUCCESSOR TO SSB 2185)

(AS AMENDED AND PASSED BY THE SENATE MARCH 13, 1992)

~~_____~~ - New Language by the Senate
* - Language Stricken by the Senate

Passed Senate, Date 4/22/92 (p. 1557) Passed House, Date 4/21/92 (p. 1678)
Vote: Ayes 50 Nays 0 Vote: Ayes 99 Nays 0
Approved April 27, 1992 (p. 1670)

A BILL FOR

1 An Act relating to the availability of adoption records for the
2 purpose of medical research or treatment of a patient in a
3 medical facility.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20

S.F. 2203

*1 Section 1. Section 600.16, subsection 1, paragraph c, Code
2 Supplement 1991, is amended to read as follows:

3 c. Any person approved by the department if the person
4 uses this information solely for the purposes of conducting a
5 legitimate medical research project or of treating a patient
6 in a medical facility.

7 Information regarding an adopted person's existing medical
8 and developmental history and family medical history, which
9 meets the definition of background information in section
10 600.8, subsection 1, paragraph "c", ~~but which was compiled~~
11 ~~prior to July 17, 1976~~, shall be made available as provided in
12 this subsection. However, the identity of the adopted
13 person's natural parents shall not be disclosed.

14 Sec. 2. Section 600.24, Code 1991, is amended to read as
15 follows:

16 600.24 ACCESS TO RECORDS.

17 The department may allow access to adoption records held by
18 it the department or an agency if all of the following
19 conditions are met:

20 ~~a. The records were compiled prior to January 17, 1977;~~

21 b a. The identity of the natural parents of the adopted
22 person is concealed from the person gaining access to the
23 records ~~and~~.

24 e b. The person gaining access to the records uses them
25 solely for the purposes of conducting a legitimate medical
26 research project or of treating a patient in a medical
27 facility.

28
29
30
31
32
33
34
35

SENATE FILE 2203

H-5897

1 Amend Senate File 2203, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 1, by inserting after line 13, the
4 following:

5 "Sec. ____ . Section 600.16, subsection 2,
6 unnumbered paragraph 3, Code Supplement 1991, is
7 amended to read as follows:

8 A natural parent may file an affidavit requesting
9 that the court reveal or not reveal the parent's name.
10 The court shall consider any such affidavit in
11 determining whether there is good cause to order
12 opening of the records. If the adopted person who
13 applies for revelation of the natural parents' name
14 has a sibling who is a minor and who has been adopted
15 by the same parents, the court may deny the
16 application on the grounds that revelation to the
17 applicant may also indirectly and harmfully permit the
18 same revelation to the applicant's minor sibling. To
19 facilitate the natural parents in filing an affidavit,
20 the department shall, upon request of a natural
21 parent, ~~file an affidavit in the court in which the~~
22 ~~adoption records have been sealed~~ provide the natural
23 parent with an adoption information packet containing
24 an affidavit for completion and filing with the
25 court."

26 2. Title page, line 1, by striking the words
27 "records for the" and inserting the following:
28 "records."

29 3. Title page, by striking lines 2 and 3.

30 4. By renumbering as necessary.

By HAVERLAND of Polk

H-5897 FILED APRIL 14, 1992

Adopted 4/21 (p. 1672)

HOUSE AMENDMENT TO
SENATE FILE 2203

S-5777

1 Amend Senate File 2203, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 1, by inserting after line 13, the
4 following:

5 "Sec. ____ . Section 600.16, subsection 2,
6 unnumbered paragraph 3, Code Supplement 1991, is
7 amended to read as follows:

8 A natural parent may file an affidavit requesting
9 that the court reveal or not reveal the parent's name.
10 The court shall consider any such affidavit in
11 determining whether there is good cause to order
12 opening of the records. If the adopted person who
13 applies for revelation of the natural parents' name
14 has a sibling who is a minor and who has been adopted
15 by the same parents, the court may deny the
16 application on the grounds that revelation to the
17 applicant may also indirectly and harmfully permit the
18 same revelation to the applicant's minor sibling. To
19 facilitate the natural parents in filing an affidavit,
20 the department shall, upon request of a natural
21 parent, ~~file an affidavit in the court in which the~~
22 adoption records have been sealed provide the natural
23 parent with an adoption information packet containing
24 an affidavit for completion and filing with the
25 court."

26 2. Title page, line 1, by striking the words
27 "records for the" and inserting the following:
28 "records."

29 3. Title page, by striking lines 2 and 3.

30 4. By renumbering as necessary.

RECEIVED FROM THE HOUSE

S-5777 FILED APRIL 21, 1992

Senate concurred 4/21 (p. 1557)

SZYMONIAK, CH
HORN
KRAMER

SSB 2185
HUMAN RESOURCES
NOW

SENATE FILE 2203
BY (PROPOSED COMMITTEE ON
HUMAN RESOURCES BILL
BY CHAIRPERSON HANNON)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the availability of adoption records for the
2 purpose of research or treatment of a patient in a medical
3 facility.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

2185

1 Section 1. Section 600.16, subsection 1, paragraph c,
2 unnumbered paragraph 2, Code Supplement 1991, is amended to
3 read as follows:

4 Information regarding an adopted person's existing medical
5 and developmental history and family medical history, which
6 meets the definition of background information in section
7 600.8, subsection 1, paragraph "c", ~~but-which-was-compiled~~
8 ~~prior-to-July-1, 1976,~~ shall be made available as provided in
9 this subsection. However, the identity of the adopted
10 person's natural parents shall not be disclosed.

11 Sec. 2. Section 600.24, Code 1991, is amended to read as
12 follows:

13 600.24 ACCESS TO RECORDS.

14 The department may allow access to adoption records held by
15 ~~it~~ the department or an agency if all of the following
16 conditions are met:

17 ~~a. The records were compiled prior to January 1, 1977;~~

18 b a. The identity of the natural parents of the adopted
19 person is concealed from the person gaining access to the
20 records; ~~and,~~

21 c b. The person gaining access to the records uses them
22 solely for the purposes of conducting a legitimate research
23 project or of treating a patient in a medical facility.

24 EXPLANATION

25 This bill eliminates the provisions in the Code which limit
26 access to records of adoptees regarding the family medical
27 history of the person to be adopted and of the person to be
28 adopted for research or treatment of a patient in a medical
29 facility to those compiled prior to July 1, 1976, or January
30 1, 1977.

31

32

33

34

35

Information regarding an adopted person's existing medical and developmental history and family medical history, which meets the definition of background information in section 600.8, subsection 1, paragraph "c", ~~but which was compiled prior to July 17, 1976~~, shall be made available as provided in this subsection. However, the identity of the adopted person's natural parents shall not be disclosed.

Sec. 2. Section 600.16, subsection 2, unnumbered paragraph 3, Code Supplement 1991, is amended to read as follows:

A natural parent may file an affidavit requesting that the court reveal or not reveal the parent's name. The court shall consider any such affidavit in determining whether there is good cause to order opening of the records. If the adopted person who applies for revelation of the natural parents' name has a sibling who is a minor and who has been adopted by the same parents, the court may deny the application on the grounds that revelation to the applicant may also indirectly and harmfully permit the same revelation to the applicant's minor sibling. To facilitate the natural parents in filing an affidavit, the department shall, upon request of a natural parent, ~~file an affidavit in the court in which the adoption records have been sealed~~ provide the natural parent with an adoption information packet containing an affidavit for completion and filing with the court.

Sec. 3. Section 600.24, Code 1991, is amended to read as follows:

600.24 ACCESS TO RECORDS.

The department may allow access to adoption records held by it the department or an agency if all of the following conditions are met:

~~a. The records were compiled prior to January 17, 1977;~~

b. a. The identity of the natural parents of the adopted person is concealed from the person gaining access to the records; ~~and;~~

SENATE FILE 2203

AN ACT

RELATING TO THE AVAILABILITY OF ADOPTION RECORDS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 600.16, subsection 1, paragraph c, Code Supplement 1991, is amended to read as follows:

c. Any person approved by the department if the person uses this information solely for the purposes of conducting a legitimate medical research project or of treating a patient in a medical facility.

c b. The person gaining access to the records uses them solely for the purposes of conducting a legitimate medical research project or of treating a patient in a medical facility.

MICHAEL E. GRONSTAL
President of the Senate

ROBERT C. ARNOULD
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2203, Seventy-fourth General Assembly.

JOHN F. DWYER
Secretary of the Senate

Approved April 27, 1992

TERRY E. BRANSTAD
Governor