

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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HOUSE DRH10305-LUz-126 (4/4)

Short Title: Expand Access/Confid. Intermediary Services. (Public)

Sponsors: Representatives Dickson, Wilkins, T. Harrell, and Weiss (Primary Sponsors).

Referred to:

A BILL TO BE ENTITLED

AN ACT ALLOWING ADULT BIOLOGICAL SIBLINGS OF ADULT ADOPTEES, ADULT BIOLOGICAL HALF SIBLINGS OF ADULT ADOPTEES, FAMILY MEMBERS OF DECEASED ADULT ADOPTEES, AND FAMILY MEMBERS OF DECEASED BIOLOGICAL PARENTS TO HAVE ACCESS TO CONFIDENTIAL INTERMEDIARY SERVICES UNDER THE LAWS PERTAINING TO ADOPTION AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON ADOPTEE BIRTH CERTIFICATES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 48-9-104 reads as rewritten:

"§ **48-9-104. Release of identifying ~~information~~information; confidential intermediary services.**

(a) Except as provided in G.S. 48-9-109(2) or (3), no person or entity shall release from any records retained and sealed under this Article the name, address, or other information that reasonably could be expected to lead directly to the identity of an adoptee, an adoptive parent of an adoptee, an adoptee's parent at birth, or an individual who, but for the adoption, would be the adoptee's sibling or grandparent, except upon order of the court for cause pursuant to G.S. 48-9-105.

(b) A child placing agency licensed by the Department or a county department of social services may agree to act as a confidential intermediary for ~~a biological parent or adult adoptee or adult lineal descendant of a deceased adoptee, without appointment by the court pursuant to G.S. 48-9-105, in order to obtain and share nonidentifying birth family health information or facilitate contact or share identifying information with adult adoptees, adult lineal descendants of deceased adoptees, and biological parents with the written consent of all parties to the contact or the sharing of information.~~ any of the following:

1 (1) A biological parent.

2 (2) An adult adoptee.

3 (3) An adult biological sibling of an adult adoptee.

4 (4) An adult biological half sibling of an adult adoptee.

5 (5) A family member of a deceased biological parent.

6 (6) A family member of a deceased adult adoptee.

7 An agency may act as a confidential intermediary without appointment by the court
8 pursuant to G.S. 48-9-105 in order to obtain and share nonidentifying birth family
9 health information or facilitate contact or share identifying information with any person
10 listed in subdivisions (1) through (6) of this subsection with the written consent of all
11 parties to the contact or the sharing of information. Further, a child placing agency
12 licensed by the Department or a county department of social services an agency
13 may agree to act as a confidential intermediary for the adoptive parents of a minor adoptee,
14 without appointment by the court pursuant to G.S. 48-9-105, to obtain and share
15 nonidentifying birth family health information. An agency that agrees to provide
16 confidential intermediary services may charge a reasonable fee for doing so, which fee
17 must be pursuant to written agreement signed by the individual to be charged. The
18 Division shall establish guidelines for confidential intermediary services. For purposes
19 of this subsection, the term 'family member' includes a spouse, child, stepchild, parent,
20 stepparent, grandparent, or grandchild."

21 **SECTION 2.** This act is effective when it becomes law.