



Rep. Sara Feigenholtz

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1 AMENDMENT TO HOUSE BILL 1445

2 AMENDMENT NO. _____. Amend House Bill 1445 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Vital Records Act is amended by changing
5 Section 17 as follows:

6 (410 ILCS 535/17) (from Ch. 111 1/2, par. 73-17)

7 Sec. 17. (1) For a person born in this State, the State
8 Registrar of Vital Records shall establish a new certificate of
9 birth when he receives any of the following:

10 (a) A certificate of adoption as provided in Section 16
11 or a certified copy of the order of adoption together with
12 the information necessary to identify the original
13 certificate of birth and to establish the new certificate
14 of birth; except that a new certificate of birth shall not
15 be established if so requested by the court ordering the
16 adoption, the adoptive parents, or the adopted person.

1 (b) A certificate of adoption or a certified copy of
2 the order of adoption entered in a court of competent
3 jurisdiction of any other state or country declaring
4 adopted a child born in the State of Illinois, together
5 with the information necessary to identify the original
6 certificate of birth and to establish the new certificate
7 of birth; except that a new certificate of birth shall not
8 be established if so requested by the court ordering the
9 adoption, the adoptive parents, or the adopted person.

10 (c) A request that a new certificate be established and
11 such evidence as required by regulation proving that such
12 person has been legitimized, or that the circuit court,
13 the Department of Healthcare and Family Services (formerly
14 Illinois Department of Public Aid), or a court or
15 administrative agency of any other state has established
16 the paternity of such a person by judicial or
17 administrative processes or by voluntary acknowledgment,
18 which is accompanied by the social security numbers of all
19 persons determined and presumed to be the parents.

20 (d) An affidavit by a physician that he has performed
21 an operation on a person, and that by reason of the
22 operation the sex designation on such person's birth record
23 should be changed. The State Registrar of Vital Records may
24 make any investigation or require any further information
25 he deems necessary.

26 Each request for a new certificate of birth shall be

1 accompanied by a fee of \$15 and entitles the applicant to one
2 certification or certified copy of the new certificate. If the
3 request is for additional copies, it shall be accompanied by a
4 fee of \$2 for each additional certification or certified copy.

5 (2) When a new certificate of birth is established, the
6 actual place and date of birth shall be shown; provided, in the
7 case of adoption of a person born in this State by parents who
8 were residents of this State at the time of the birth of the
9 adopted person, the place of birth may be shown as the place of
10 residence of the adoptive parents at the time of such person's
11 birth, if specifically requested by them, and any new
12 certificate of birth established prior to the effective date of
13 this amendatory Act may be corrected accordingly if so
14 requested by the adoptive parents or the adopted person when of
15 legal age. The social security numbers of the parents shall not
16 be recorded on the certificate of birth. The social security
17 numbers may only be used for purposes allowed under federal
18 law. The new certificate shall be substituted for the original
19 certificate of birth:

20 (a) Thereafter, the original certificate and the
21 evidence of adoption, paternity, legitimation, or sex
22 change shall not be subject to inspection or certification
23 except upon order of the circuit court or as provided by
24 regulation. If the new certificate was issued subsequent to
25 an adoption, the original certificate shall not be subject
26 to inspection until the adopted person has reached the age

1 of 21; thereafter, the original certificate shall be made
2 available as provided by Section 18.1b of the Adoption Act.

3 (b) Upon receipt of notice of annulment of adoption,
4 the original certificate of birth shall be restored to its
5 place in the files, and the new certificate and evidence
6 shall not be subject to inspection or certification except
7 upon order of the circuit court.

8 (3) If no certificate of birth is on file for the person
9 for whom a new certificate is to be established under this
10 Section, a delayed record of birth shall be filed with the
11 State Registrar of Vital Records as provided in Section 14 or
12 Section 15 of this Act before a new certificate of birth is
13 established, except that when the date and place of birth and
14 parentage have been established in the adoption proceedings, a
15 delayed record shall not be required.

16 (4) When a new certificate of birth is established by the
17 State Registrar of Vital Records, all copies of the original
18 certificate of birth in the custody of any custodian of
19 permanent local records in this State shall be transmitted to
20 the State Registrar of Vital Records as directed, and shall be
21 sealed from inspection except as provided by Section 18.1b of
22 the Adoption Act.

23 (5) Nothing in this Section shall be construed to prohibit
24 the amendment of a birth certificate in accordance with
25 subsection (6) of Section 22.

26 (Source: P.A. 95-331, eff. 8-21-07.)

1 Section 10. The Adoption Act is amended by changing
2 Sections 18.06, 18.1, 18.1a, 18.1b, 18.2, 18.3a, and 18.6 as
3 follows:

4 (750 ILCS 50/18.06)

5 Sec. 18.06. Definitions. When used in Sections 18.05
6 through Section 18.6, for the purposes of the Registry:

7 "Adopted person" means a person who was adopted pursuant to
8 the laws in effect at the time of the adoption.

9 "Adoptive parent" means a person who has become a parent
10 through the legal process of adoption.

11 "Adult child" means the biological child 21 years of age or
12 over of a deceased adopted or surrendered person.

13 "Adult Adopted or Surrendered Person" means an adopted or
14 surrendered person 21 years of age or over.

15 "Agency" means a public child welfare agency or a licensed
16 child welfare agency.

17 "Birth aunt" means the adult full or half sister of a
18 deceased birth parent.

19 "Birth father" means the biological father of an adopted or
20 surrendered person who is named on the original certificate of
21 live birth or on a consent or surrender document, or a
22 biological father whose paternity has been established by a
23 judgment or order of the court, pursuant to the Illinois
24 Parentage Act of 1984.

1 "Birth mother" means the biological mother of an adopted or
2 surrendered person.

3 "Birth parent" means a birth mother or birth father of an
4 adopted or surrendered person.

5 "Birth Parent Preference Form" means the form prepared by
6 the Department of Public Health pursuant to Section 18.2
7 completed by a birth parent registrant and filed with the
8 Registry that indicates the birth parent's preferences
9 regarding contact and, if applicable, the release of his or her
10 identifying information on the non-certified copy of the
11 original birth certificate released to an adult adopted or
12 surrendered person or to the surviving adult child or surviving
13 spouse of a deceased adopted or surrendered person who has
14 filed a Request for a Non-Certified Copy of an Original Birth
15 Certificate.

16 "Birth relative" means a birth mother, birth father, birth
17 sibling, birth aunt, or birth uncle.

18 "Birth sibling" means the adult full or half sibling of an
19 adopted or surrendered person.

20 "Birth uncle" means the adult full or half brother of a
21 deceased birth parent.

22 "Confidential intermediary" means an individual certified
23 by the Department of Children and Family Services pursuant to
24 Section 18.3a(e).

25 "Denial of Information Exchange" means an affidavit
26 completed by a registrant with the Illinois Adoption Registry

1 and Medical Information Exchange denying the release of
2 identifying information which has been filed with the Registry.

3 "Information Exchange Authorization" means an affidavit
4 completed by a registrant with the Illinois Adoption Registry
5 and Medical Information Exchange authorizing the release of
6 identifying information which has been filed with the Registry.

7 "Medical Information Exchange Questionnaire" means the
8 medical history questionnaire completed by a registrant of the
9 Illinois Adoption Registry and Medical Information Exchange.

10 "Non-certified Copy of the Original Birth Certificate"
11 means a non-certified copy of the original certificate of live
12 birth of an adult adopted or surrendered person who was born in
13 Illinois.

14 "Proof of death" means a death certificate.

15 "Registrant" or "Registered Party" means a birth parent,
16 birth sibling, birth aunt, birth uncle, adopted or surrendered
17 person 21 years of age or over, adoptive parent or legal
18 guardian of an adopted or surrendered person under the age of
19 21, or adoptive parent, surviving spouse, or adult child of a
20 deceased adopted or surrendered person who has filed an
21 Illinois Adoption Registry Application or Registration
22 Identification Form with the Registry.

23 "Registry" means the Illinois Adoption Registry and
24 Medical Information Exchange.

25 "Request for a Non-Certified Copy of an Original Birth
26 Certificate" means an affidavit completed by an adult adopted

1 or surrendered person or by the surviving adult child or
2 surviving spouse of a deceased adopted or surrendered person
3 and filed with the Registry requesting a non-certified copy of
4 an adult adopted or surrendered person's original certificate
5 of live birth in Illinois.

6 "Surrendered person" means a person whose parents' rights
7 have been surrendered or terminated but who has not been
8 adopted.

9 "Surviving spouse" means the wife or husband, 21 years of
10 age or older, of a deceased adopted or surrendered person who
11 would be 21 years of age or older if still alive and who has one
12 or more surviving biological children who are under the age of
13 21.

14 "18.3 Statement" means a statement regarding the
15 disclosure of identifying information signed by a birth parent
16 under Section 18.3 of this Act as it existed immediately prior
17 to the effective date of this amendatory Act of the 96th
18 General Assembly.

19 (Source: P.A. 96-895, eff. 5-21-10.)

20 (750 ILCS 50/18.1) (from Ch. 40, par. 1522.1)

21 Sec. 18.1. Disclosure of identifying information.

22 (a) The Department of Public Health shall establish and
23 maintain a Registry for the purpose of allowing mutually
24 consenting members of birth and adoptive families to exchange
25 identifying and medical information. Identifying information

1 for the purpose of this Act shall mean any one or more of the
2 following:

3 (1) The name and last known address of the consenting
4 person or persons.

5 (2) A copy of the Illinois Adoption Registry
6 Application of the consenting person or persons.

7 (3) A non-certified copy of the original birth
8 certificate of an adult adopted or surrendered person.

9 (b) Written authorization from all parties identified must
10 be received prior to disclosure of any identifying information,
11 with the exception of non-certified copies of original birth
12 certificates released to adult adopted or surrendered persons
13 or to surviving adult children and surviving spouses of
14 deceased adopted or surrendered persons pursuant to the
15 procedures outlined in Section 18.1b(e).

16 (c) At any time after a child is surrendered for adoption,
17 or at any time during the adoption proceedings or at any time
18 thereafter, either birth parent or both of them may file with
19 the Registry a Birth Parent Registration Identification Form
20 ~~and an Information Exchange Authorization or a Denial of~~
21 ~~Information Exchange.~~

22 (d) A birth sibling 21 years of age or over who was not
23 surrendered for adoption and who has submitted a copy of his or
24 her birth certificate as well as proof of death for a deceased
25 birth parent and such birth parent did not file a Denial of
26 Information Exchange or a Birth Parent Preference Form on which

1 Option E was selected with the Registry prior to his or her
2 death may file a Registration Identification Form and an
3 Information Exchange Authorization or a Denial of Information
4 Exchange.

5 (e) A birth aunt or birth uncle who has submitted birth
6 certificates for himself or herself and for a deceased birth
7 parent naming at least one common biological parent as well as
8 proof of death for the deceased birth parent and such birth
9 parent did not file a Denial of Information Exchange or a Birth
10 Parent Preference Form on which Option E was selected with the
11 Registry prior to his or her death may file a Registration
12 Identification Form and an Information Exchange Authorization
13 or a Denial of Information Exchange.

14 (f) Any adopted person 21 years of age or over, any
15 surrendered person 21 years of age or over, or any adoptive
16 parent or legal guardian of an adopted or surrendered person
17 under the age of 21 may file with the Registry a Registration
18 Identification Form and an Information Exchange Authorization
19 or a Denial of Information Exchange.

20 (g) Any adult child 21 years of age or over of a deceased
21 adopted or surrendered person who has submitted a copy of his
22 or her birth certificate naming an adopted or surrendered
23 person as his or her biological parent as well as proof of
24 death for the deceased adopted or surrendered person and such
25 adopted or surrendered person did not file a Denial of
26 Information Exchange with the Registry prior to his or her

1 death may file a Registration Identification Form and an
2 Information Exchange Authorization or a Denial of Information
3 Exchange.

4 (h) Any surviving spouse of a deceased adopted or
5 surrendered person 21 years of age or over who has submitted
6 proof of death for the deceased adopted or surrendered person
7 and such adopted or surrendered person did not file a Denial of
8 Information Exchange with the Registry prior to his or her
9 death as well as a birth certificate naming themselves and the
10 adopted or surrendered person as the parents of a minor child
11 under the age of 21 may file a Registration Identification Form
12 and an Information Exchange Authorization or a Denial of
13 Information Exchange.

14 (i) Any adoptive parent or legal guardian of a deceased
15 adopted or surrendered person who is 21 years of age or over
16 who has submitted proof of death as well as proof of parentage
17 or guardianship for the deceased adopted or surrendered person
18 and such adopted or surrendered person did not file a Denial of
19 Information Exchange with the Registry prior to his or her
20 death may file a Registration Identification Form and an
21 Information Exchange Authorization or a Denial of Information
22 Exchange.

23 (j) The Department of Public Health shall supply to the
24 adopted or surrendered person or his or her adoptive parents,
25 legal guardians, adult children or surviving spouse, and to the
26 birth parents identifying information only if both the adopted

1 or surrendered person, or one of his or her adoptive parents,
2 legal guardians, adult children or his or her surviving spouse,
3 and the birth parents have filed with the Registry an
4 Information Exchange Authorization or a Birth Parent
5 Preference Form on which Option A, B, or C was selected and the
6 information at the Registry indicates that the consenting
7 adopted or surrendered person, the child of the consenting
8 adoptive parents or legal guardians, the parent of the
9 consenting adult child of the adopted or surrendered person, or
10 the deceased wife or husband of the consenting surviving spouse
11 is the child of the consenting birth parents, except
12 identifying information that appears on a non-certified copy of
13 an original birth certificate may be provided to an adult
14 adopted or surrendered person or to the surviving adult child
15 or surviving spouse of a deceased adopted or surrendered person
16 pursuant to the procedures outlined in Section 18.1b(e) of this
17 Act.

18 The Department of Public Health shall supply to adopted or
19 surrendered persons who are birth siblings identifying
20 information only if both siblings have filed with the Registry
21 an Information Exchange Authorization and the information at
22 the Registry indicates that the consenting siblings have one or
23 both birth parents in common. Identifying information shall be
24 supplied to consenting birth siblings who were adopted or
25 surrendered if any such sibling is 21 years of age or over.
26 Identifying information shall be supplied to consenting birth

1 siblings who were not adopted or surrendered if any such
2 sibling is 21 years of age or over and has proof of death of the
3 common birth parent and such birth parent did not file a Denial
4 of Information Exchange or a Birth Parent Preference Form on
5 which Option E was selected with the Registry prior to his or
6 her death.

7 (k) The Department of Public Health shall supply to the
8 adopted or surrendered person or his or her adoptive parents,
9 legal guardians, adult children or surviving spouse, and to a
10 birth aunt identifying information only if both the adopted or
11 surrendered person or one of his or her adoptive parents, legal
12 guardians, adult children or his or her surviving spouse, and
13 the birth aunt have filed with the Registry an Information
14 Exchange Authorization and the information at the Registry
15 indicates that the consenting adopted or surrendered person, or
16 the child of the consenting adoptive parents or legal
17 guardians, or the parent of the consenting adult child, or the
18 deceased wife or husband of the consenting surviving spouse of
19 the adopted or surrendered person is or was the child of the
20 brother or sister of the consenting birth aunt.

21 (l) The Department of Public Health shall supply to the
22 adopted or surrendered person or his or her adoptive parents,
23 legal guardians, adult children or surviving spouse, and to a
24 birth uncle identifying information only if both the adopted or
25 surrendered person or one of his or her adoptive parents, legal
26 guardians, adult children or his or her surviving spouse, and

1 the birth uncle have filed with the Registry an Information
2 Exchange Authorization and the information at the Registry
3 indicates that the consenting adopted or surrendered person, or
4 the child of the consenting adoptive parents or legal
5 guardians, or the parent of the consenting adult child, or the
6 deceased wife or husband of the consenting surviving spouse of
7 the adopted or surrendered person is or was the child of the
8 brother or sister of the consenting birth uncle.

9 (m) A registrant may notify the Registry of his or her
10 desire not to have identifying information revealed or may
11 revoke any previously filed Information Exchange Authorization
12 by completing and filing with the Registry a Registry
13 Identification Form along with a Denial of Information Exchange
14 or, if applicable, a Birth Parent Preference Form. Any
15 registrant, except a birth parent, may revoke his or her Denial
16 of Information Exchange by filing an Information Exchange
17 Authorization. A birth parent may revoke a Denial of
18 Information Exchange by filing a Birth Parent Preference Form.
19 Any birth parent who has previously filed a Birth Parent
20 Preference Form where Option E was selected may revoke such
21 preference by filing a subsequent Birth Parent Preference Form
22 and selecting Option A, B, C, or D. The Department of Public
23 Health shall act in accordance with the most recently filed
24 affidavit.

25 (n) Identifying information ascertained from the Registry
26 shall be confidential and may be disclosed only (1) upon a

1 Court Order, which order shall name the person or persons
2 entitled to the information, or (2) to a registrant who is the
3 subject of an Information Exchange Authorization or, if
4 applicable, a Birth Parent Preference Form that was completed
5 by another registrant and filed with the Illinois Adoption
6 Registry and Medical Information Exchange, or (3) as authorized
7 under subsection (h) of Section 18.3 of this Act, or (4)
8 pursuant to the procedures outlined in Section 18.1b(e) of this
9 Act. Any person who willfully provides unauthorized disclosure
10 of any information filed with the Registry or who knowingly or
11 intentionally files false information with the Registry shall
12 be guilty of a Class A misdemeanor and shall be liable for
13 damages.

14 (o) If information is disclosed pursuant to this Act, the
15 Department shall redact it to remove any identifying
16 information about any party who has not consented to the
17 disclosure of such identifying information, or, in the case of
18 identifying information on the original birth certificate,
19 pursuant to Section 18.1b(e) of this Act.

20 (Source: P.A. 96-895, eff. 5-21-10.)

21 (750 ILCS 50/18.1a)

22 Sec. 18.1a. Registry matches.

23 (a) The Registry shall release identifying information, as
24 specified on the applicant's Information Exchange
25 Authorization or, if applicable, a Birth Parent Preference

1 Form, to the following mutually consenting registered parties
2 and provide them with any photographs or correspondence which
3 have been placed in the Adoption/Surrender Records File and are
4 specifically intended for the registered parties:

5 (i) an adult adopted or surrendered person and one of
6 his or her birth relatives who have both filed an
7 applicable Information Exchange Authorization or, if
8 applicable, a Birth Parent Preference Form specifying the
9 other consenting party with the Registry, if information
10 available to the Registry confirms that the consenting
11 adopted or surrendered person is biologically related to
12 the consenting birth relative;

13 (ii) the adoptive parent or legal guardian of an
14 adopted or surrendered person under the age of 21 and one
15 of the adopted or surrendered person's birth relatives who
16 have both filed an Information Exchange Authorization
17 specifying the other consenting party ~~with the Registry,~~
18 or, if applicable, a Birth Parent Preference Form, with the
19 Registry, if information available to the Registry
20 confirms that the child of the consenting adoptive parent
21 or legal guardian is biologically related to the consenting
22 birth relative; and

23 (iii) the adoptive parent, adult child or surviving
24 spouse of a deceased adopted or surrendered person, and one
25 of the adopted or surrendered person's birth relatives who
26 have both filed an applicable Information Exchange

1 Authorization specifying the other consenting party ~~with~~
2 ~~the Registry,~~ or, if applicable, a Birth Parent Preference
3 Form, with the Registry, if information available to the
4 Registry confirms that the child of the consenting adoptive
5 parent, the parent of the consenting adult child or the
6 deceased wife or husband of the consenting surviving spouse
7 of the adopted or surrendered person was biologically
8 related to the consenting birth relative.

9 (b) If a registrant is the subject of a Denial of
10 Information Exchange filed by another registered party or is an
11 adopted or surrendered person, or the surviving relative of a
12 deceased adopted or surrendered person, and a birth parent of
13 the adopted or surrendered person completed a Birth Parent
14 Preference Form and selected Option E, the Registry shall not
15 release identifying information to either registrant or, if
16 applicable, to an adopted person who has requested a copy of
17 his or her original birth certificate, with the exception of
18 non-certified copies of the original birth certificate
19 released under Section 18.1b(e), and as to a birth parent who
20 has prohibited release of identifying information on the
21 original birth certificate to the adult adopted or surrendered
22 person, upon the death of said birth parent.

23 (c) If a registrant has completed a Medical Information
24 Exchange Questionnaire and has consented to its disclosure,
25 that Questionnaire shall be released to any registered party
26 who has indicated their desire to receive such information on

1 his or her Illinois Adoption Registry Application, if
2 information available to the Registry confirms that the
3 consenting parties are biologically related, that the
4 consenting birth relative and the child of the consenting
5 adoptive parents or legal guardians are birth relatives, or
6 that the consenting birth relative and the deceased wife or
7 husband of the consenting surviving spouse are birth relatives.
8 (Source: P.A. 96-895, eff. 5-21-10.)

9 (750 ILCS 50/18.1b)

10 Sec. 18.1b. The Illinois Adoption Registry Application.
11 The Illinois Adoption Registry Application shall substantially
12 include the following:

13 (a) General Information. The Illinois Adoption Registry
14 Application shall include the space to provide Information
15 about the registrant including his or her surname, given name
16 or names, social security number (optional), mailing address,
17 home telephone number, gender, date and place of birth, and the
18 date of registration. If applicable and known to the
19 registrant, he or she may include the maiden surname of the
20 birth mother, any subsequent surnames of the birth mother, the
21 surname of the birth father, the given name or names of the
22 birth parents, the dates and places of birth of the birth
23 parents, the surname and given name or names of the adopted
24 person prior to adoption, the gender and date and place of
25 birth of the adopted or surrendered person, the name of the

1 adopted person following his or her adoption and the state and
2 county where the judgment of adoption was finalized.

3 (b) Medical Information Exchange Questionnaire. In
4 recognition of the importance of medical information and of
5 recent discoveries regarding the genetic origin of many medical
6 conditions and diseases all registrants shall be asked to
7 voluntarily complete a Medical Information Exchange
8 Questionnaire. The Medical Information Exchange Questionnaire
9 shall include a comprehensive check-list of medical conditions
10 and diseases including those of genetic origin.

11 (1) ~~For birth relatives, the Medical Information~~
12 ~~Exchange Questionnaire shall include a comprehensive~~
13 ~~check-list of medical conditions and diseases including~~
14 ~~those of genetic origin.~~ Birth relatives shall be asked to
15 indicate all genetically-inherited diseases and conditions
16 on this list which are known to exist in the adopted or
17 surrendered person's birth family at the time of
18 registration. In addition, all birth relatives shall be
19 apprised of the Registry's provisions for voluntarily
20 submitting information about their and their family's
21 medical histories on a confidential, ongoing basis.

22 (2) Adopted and surrendered persons and their adoptive
23 parents, legal guardians, adult children, and surviving
24 spouses shall be asked to indicate all
25 genetically-inherited diseases and medical conditions with
26 which the adopted or surrendered person or, if applicable,

1 his or her children have been diagnosed since birth.

2 (3) The Medical Information Exchange Questionnaire
3 shall include a space where the registrant may authorize
4 the release of the Medical Information Exchange
5 Questionnaire to specified registered parties and a
6 disclaimer informing registrants that the Department of
7 Public Health cannot guarantee the accuracy of medical
8 information exchanged through the Registry.

9 (c) Written statement. All registrants shall be given the
10 opportunity to voluntarily file a written statement with the
11 Registry. This statement shall be submitted in the space
12 provided. No written statement submitted to the Registry shall
13 include identifying information pertaining to any person other
14 than the registrant who submitted it. Any such identifying
15 information shall be redacted by the Department or returned for
16 removal of identifying information.

17 (d) Exchange of information. All registrants except birth
18 parents may indicate their wishes regarding contact and the
19 exchange of identifying and/or medical information with any
20 other registrant by completing an Information Exchange
21 Authorization or a Denial of Information Exchange. Birth
22 parents may indicate their wishes regarding contact by filing a
23 Birth Parent Preference Form pursuant to the procedures
24 outlined in this Section.

25 (1) Information Exchange Authorization. Adopted or
26 surrendered persons 21 years of age or over who are

1 interested in exchanging identifying and/or medical
2 information or would welcome contact with one or more of
3 their birth relatives; ~~birth parents who are interested in~~
4 ~~exchanging identifying and/or medical information or would~~
5 ~~welcome contact with an adopted or surrendered person 21~~
6 ~~years of age or over, or one or more of his or her adoptive~~
7 ~~parents, legal guardians, adult children, or a surviving~~
8 ~~spouse;~~ birth siblings 21 years of age or over who were
9 adopted or surrendered and who are interested in exchanging
10 identifying and/or medical information or would welcome
11 contact with an adopted or surrendered person, or one or
12 more of his or her adoptive parents, legal guardians, adult
13 children, or a surviving spouse; birth siblings 21 years of
14 age or over who were not surrendered and who have submitted
15 proof of death for any common birth parent who did not file
16 a Denial of Information Exchange or a Birth Parent
17 Preference Form on which Option E was selected prior to his
18 or her death, and who are interested in exchanging
19 identifying and/or medical information or would welcome
20 contact with an adopted or surrendered person, or one or
21 more of his or her adoptive parents, legal guardians, adult
22 children, or a surviving spouse; birth aunts and birth
23 uncles 21 years of age or over who have submitted birth
24 certificates for themselves and a deceased birth parent
25 naming at least one common biological parent as well as
26 proof of death for a deceased birth parent and who are

1 interested in exchanging identifying and/or medical
2 information or would welcome contact with an adopted or
3 surrendered person 21 years of age or over, or one or more
4 of his or her adoptive parents, legal guardians, adult
5 children or a surviving spouse; adoptive parents or legal
6 guardians of adopted or surrendered persons under the age
7 of 21 who are interested in exchanging identifying and/or
8 medical information or would welcome contact with one or
9 more of the adopted or surrendered person's birth
10 relatives; adoptive parents and legal guardians of
11 deceased adopted or surrendered persons 21 years of age or
12 over who have submitted proof of death for a deceased
13 adopted or surrendered person who did not file a Denial of
14 Information Exchange prior to his or her death and who are
15 interested in exchanging identifying and/or medical
16 information or would welcome contact with one or more of
17 the adopted or surrendered person's birth relatives; adult
18 children of deceased adopted or surrendered persons who
19 have submitted a birth certificate naming the adopted or
20 surrendered person as their biological parent and proof of
21 death for an adopted or surrendered person who did not file
22 a Denial of Information Exchange prior to his or her death;
23 and surviving spouses of deceased adopted or surrendered
24 persons who have submitted a marriage certificate naming an
25 adopted or surrendered person as their deceased wife or
26 husband and proof of death for an adopted or surrendered

1 person who did not file a Denial of Information Exchange
2 prior to his or her death and who are interested in
3 exchanging identifying and/or medical information or would
4 welcome contact with one or more of the adopted or
5 surrendered person's birth relatives may specify with whom
6 they wish to exchange identifying information by filing an
7 Information Exchange Authorization.

8 (2) Denial of Information Exchange. Adopted or
9 surrendered persons 21 years of age or over who do not wish
10 to exchange identifying information or establish contact
11 with one or more of their birth relatives may specify with
12 whom they do not wish to exchange identifying information
13 or do not wish to establish contact by filing a Denial of
14 Information Exchange. Birth relatives other than birth
15 parents who do not wish to establish contact with an
16 adopted or surrendered person or one or more of his or her
17 adoptive parents, legal guardians, or adult children may
18 specify with whom they do not wish to exchange identifying
19 information or do not wish to establish contact by filing a
20 Denial of Information Exchange. Birth parents who wish to
21 prohibit the release of their identifying information on
22 the original birth certificate released to an adult adopted
23 or surrendered person who was born after January 1, 1946,
24 or to the surviving adult child or surviving spouse of a
25 deceased adopted or surrendered person who was born after
26 January 1, 1946, may do so by filing a Denial with the

1 Registry on or before December 31, 2010. ~~As of January 1,~~
2 ~~2011, birth parents who wish to prohibit the release of~~
3 ~~identifying information on the non-certified copy of the~~
4 ~~original birth certificate released to an adult adopted~~
5 ~~surrendered person or to the surviving adult child or~~
6 ~~surviving spouse of a deceased adopted or surrendered~~
7 ~~person may do so by selecting Option E on a Birth Parent~~
8 ~~Preference Form and filing the Form with the Registry.~~
9 Adoptive parents or legal guardians of adopted or
10 surrendered persons under the age of 21 who do not wish to
11 establish contact with one or more of the adopted or
12 surrendered person's birth relatives may specify with whom
13 they do not wish to exchange identifying information by
14 filing a Denial of Information Exchange. Adoptive parents,
15 adult children, and surviving spouses of deceased adoptees
16 who do not wish to exchange identifying information or
17 establish contact with one or more of the adopted or
18 surrendered person's birth relatives may specify with whom
19 they do not wish to exchange identifying information or do
20 not wish to establish contact by filing a Denial of
21 Information Exchange.

22 (3) Birth Parent Preference Form. Beginning January 1,
23 2011, birth parents who are eligible to register with the
24 Illinois Adoption Registry and Medical Information
25 Exchange and whose birth child was born on or after January
26 1, 1946 may ~~who wish to~~ communicate their wishes regarding

1 contact or may prohibit ~~and/or~~ the release of ~~their~~
2 identifying information on the non-certified copy of the
3 original birth certificate released under subsection (e)
4 of this Section by filing ~~to an adult adopted or~~
5 ~~surrendered person or the surviving adult child or~~
6 ~~surviving spouse of a deceased adopted or surrendered~~
7 ~~person who has requested a copy of the adopted or~~
8 ~~surrendered person's original birth certificate by filing~~
9 ~~a Request for a Non-Certified Copy of an Original Birth~~
10 ~~Certificate pursuant to subsection (e) of this Section, may~~
11 ~~file~~ a Birth Parent Preference Form with the Registry.
12 Birth parents whose birth child was born before January 1,
13 1946, may communicate their wishes regarding contact by
14 completing a Birth Parent Preference Form, selecting
15 Option A, B, C, or D, and filing the form with the
16 Registry, but may not prohibit the release of identifying
17 information. All Birth Parent Preference Forms on file with
18 the Registry at the time of receipt of a Request for a
19 Non-Certified Copy of an Original Birth Certificate from an
20 adult adopted or surrendered person or the surviving adult
21 child or surviving spouse of a deceased adopted or
22 surrendered person shall be forwarded to the relevant
23 adopted or surrendered person or surviving adult child or
24 surviving spouse of a deceased adopted or surrendered
25 person along with a non-certified copy of the adopted or
26 surrendered person's original birth certificate as

1 outlined in subsection (e) of this Section.

2 (e) Procedures for requesting a non-certified copy of an
3 original birth certificate by an adult adopted or surrendered
4 person or by a surviving adult child or surviving spouse of a
5 deceased adopted or surrendered person:

6 (1) On or after the effective date of this amendatory
7 Act of the 96th General Assembly, any adult adopted or
8 surrendered person who was born in Illinois prior to
9 January 1, 1946, may complete and file with the Registry a
10 Request for a Non-Certified Copy of an Original Birth
11 Certificate. The Registry shall provide such adult adopted
12 or surrendered person with an unaltered, non-certified
13 copy of his or her original birth certificate upon receipt
14 of the Request for a Non-Certified Copy of an Original
15 Birth Certificate. Additionally, in cases where an adopted
16 or surrendered person born in Illinois prior to January 1,
17 1946, is deceased, and one of his or her surviving adult
18 children or his or her surviving spouse has registered with
19 the Registry, he or she may complete and file with the
20 Registry a Request for a Non-Certified Copy of an Original
21 Birth Certificate. The Registry shall provide such
22 surviving adult child or surviving spouse with an
23 unaltered, non-certified copy of the adopted or
24 surrendered person's original birth certificate upon
25 receipt of the Request for a Non-Certified Copy of an
26 Original Birth Certificate.

1 (2) Beginning November 15, 2011, any adult adopted or
2 surrendered person who was born in Illinois on or after
3 January 1, 1946, may complete and file with the Registry a
4 Request for a Non-certified Copy of an Original Birth
5 Certificate. Additionally, in cases where the adopted or
6 surrendered person is deceased and one of his or her
7 surviving adult children or his or her surviving spouse has
8 registered with the Registry, he or she may complete and
9 file with the Registry a Request for a Non-Certified Copy
10 of an Original Birth Certificate. Upon receipt of such
11 request from an adult adopted or surrendered person or from
12 one of his or her surviving adult children or his or her
13 surviving spouse, the Registry shall:

14 (i) Determine if there is a Denial of Information
15 Exchange which was filed by a birth parent named on the
16 original birth certificate prior to January 1, 2011. If
17 a Denial was filed by a birth parent named on the
18 original birth certificate prior to January 1, 2011,
19 and there is no proof of death in the Registry file for
20 the birth parent who filed said Denial, the Registry
21 shall inform the requesting adult adopted or
22 surrendered person or the requesting surviving adult
23 child or surviving spouse of a deceased adopted or
24 surrendered person that they may receive a
25 non-certified copy of the original birth certificate
26 from which all identifying information pertaining to

1 the birth parent who filed the Denial has been
2 redacted. A requesting adult adopted or surrendered
3 person shall also be informed in writing of his or her
4 right to petition the court for the appointment of a
5 confidential intermediary pursuant to Section 18.3a of
6 this Act and, if applicable, to conduct a search
7 through an agency post-adoption search program once 5
8 years have elapsed since the birth parent filed the
9 Denial of Information Exchange with the Registry.

10 (ii) Determine if a birth parent named on the
11 original birth certificate has filed a Birth Parent
12 Preference Form. If one of the birth parents named on
13 the original birth certificate filed a Birth Parent
14 Preference Form and selected Option A, B, C, or D, the
15 Registry shall forward to the adult adopted or
16 surrendered person or to the surviving adult child or
17 surviving spouse of a deceased adopted or surrendered
18 person a copy of the Birth Parent Preference Form along
19 with an unaltered non-certified copy of his or her
20 original birth certificate. If one of the birth parents
21 named on the original birth certificate filed a Birth
22 Parent Preference Form and selected Option E, and there
23 is no proof of death in the Registry file for the birth
24 parent who filed said Birth Parent Preference Form, the
25 Registry shall inform the requesting adult adopted or
26 surrendered person or the requesting surviving adult

1 child or surviving spouse of a deceased adopted or
2 surrendered person that he or she may receive a
3 non-certified copy of the original birth certificate
4 from which identifying information pertaining to the
5 birth parent who completed the Birth Parent Preference
6 Form has been redacted per the birth parent's
7 specifications on the Form. The Registry shall forward
8 to the adult adopted or surrendered person or to the
9 surviving adult child or surviving spouse of a deceased
10 adopted or surrendered person a copy of the Birth
11 Parent Preference Form filed by the birth parent from
12 which identifying information has been redacted per
13 the birth parent's specifications on the Form. The
14 requesting adult adopted or surrendered person shall
15 also be informed in writing of his or her right to
16 petition the court for the appointment of a
17 confidential intermediary pursuant to Section 18.3a of
18 this Act, and, if applicable, to conduct a search
19 through an agency post-adoption search program once 5
20 years have elapsed since the birth parent filed the
21 Birth Parent Preference Form, on which Option E was
22 selected, with the Registry.

23 (iii) Determine if a birth parent named on the
24 original birth certificate has filed an Information
25 Exchange Authorization.

26 (iv) If the Registry has confirmed that a

1 requesting adult adopted or surrendered person or the
2 parent of a requesting adult child of a deceased
3 adopted or surrendered person or the husband or wife of
4 a requesting surviving spouse was not the object of a
5 Denial of Information Exchange filed by a birth parent
6 on or before December 31, 2010, and that no birth
7 parent named on the original birth certificate has
8 filed a Birth Parent Preference Form where Option E was
9 selected prior to the receipt of a Request for a
10 Non-Certified Copy of an Original Birth Certificate,
11 the Registry shall provide the adult adopted or
12 surrendered person or his or her surviving adult child
13 or surviving spouse with an unaltered non-certified
14 copy of the adopted or surrendered person's original
15 birth certificate.

16 (3) In cases where the Registry receives a Birth Parent
17 Preference Form from a birth parent subsequent to the
18 release of the non-certified copy of the original birth
19 certificate to an adult adopted or surrendered person or to
20 the surviving adult child or surviving spouse of a deceased
21 adopted or surrendered person, the Birth Parent Preference
22 Form shall be immediately forwarded to the adult adopted or
23 surrendered person or to the surviving adult child or
24 surviving spouse of the deceased adopted or surrendered
25 person and the birth parent who filed the form shall be
26 informed that the relevant original birth certificate has

1 already been released.

2 (4) A copy of the original birth certificate shall only
3 be released to adopted or surrendered persons who were born
4 in Illinois; to surviving adult children or surviving
5 spouses of deceased adopted or surrendered persons who were
6 born in Illinois; or to 2 registered parties who have both
7 consented to the release of a non-certified copy of the
8 original birth certificate to one another through the
9 Registry when the birth of the relevant adopted or
10 surrendered person took place in Illinois.

11 (5) In cases where the Registry receives a Request for
12 a Non-Certified Copy of an Original Birth Certificate from
13 an adult adopted or surrendered person who has not
14 completed a Registry application and the file of that
15 adopted or surrendered person includes an Information
16 Exchange Authorization, Birth Parent Preference Form, or
17 Medical Information Exchange Questionnaire from one or
18 more of his or her birth relatives, the Registry shall so
19 inform the adult adopted or surrendered person and forward
20 Registry application forms to him or her along with a
21 non-certified copy of the original birth certificate
22 consistent with the procedures outlined in this subsection
23 (e).

24 (6) In cases where a birth parent registered with the
25 Registry and filed a Medical Information Exchange
26 Questionnaire prior to the effective date of this

1 amendatory Act of the 96th General Assembly but gave no
2 indication as to his or her wishes regarding contact or the
3 sharing of identifying information, the Registry shall
4 contact the birth parent by written letter prior to January
5 1, 2011, and provide him or her with the opportunity to
6 indicate his or her preference regarding contact and the
7 sharing of identifying information by submitting a Birth
8 Parent Preference Form to the Registry prior to November 1,
9 2011.

10 (7) In cases where the Registry cannot locate a copy of
11 the original birth certificate in the Registry file, they
12 shall be authorized to request a copy of the original birth
13 certificate from the Illinois county where the birth took
14 place for placement in the Registry file.

15 (8) Adopted and surrendered persons who wish to have
16 their names placed with the Illinois Adoption Registry and
17 Medical Information Exchange may do so by completing a
18 Registry application at any time, but completing a Registry
19 application shall not be required for adopted and
20 surrendered persons who seek only to obtain a copy of their
21 original birth certificate or any relevant Birth Parent
22 Preference Forms through the Registry.

23 (9) In cases where a birth parent filed a Denial of
24 Information Exchange with the Registry prior to January 1,
25 2011, or filed a Birth Parent Preference Form with the
26 Registry and selected Option E after January 1, 2011, and a

1 proof of death for the birth parent who filed the Denial or
2 the Birth Parent Preference Form has been filed with the
3 Registry by ~~either~~ a confidential intermediary, ~~or~~ a
4 surviving relative of the deceased birth parent, or a birth
5 child of the deceased birth parent, the Registry shall be
6 authorized to release an unaltered non-certified copy of
7 the original birth certificate to an adult adopted or
8 surrendered person or to the surviving adult child or
9 surviving spouse of a deceased adopted or surrendered
10 person who has filed a Request for a Non-Certified Copy of
11 the Original Birth Certificate with the Registry.

12 (10) On and after the effective date of this amendatory
13 Act of the 96th General Assembly, in cases where all birth
14 parents named on the original birth certificate of an
15 adopted or surrendered person born after January 1, 1946,
16 are deceased and copies of death certificates for all birth
17 parents named on the original birth certificate have been
18 filed with the Registry by either a confidential
19 intermediary, ~~or~~ a surviving relative of the deceased birth
20 parent, or a birth child of the deceased birth parent, the
21 Registry shall be authorized to release a non-certified
22 copy of the original birth certificate to the adopted or
23 surrendered person upon receipt of his or her Request for a
24 Non-Certified Copy of an Original Birth Certificate.

25 (f) A registrant may complete all or any part of the
26 Illinois Adoption Registry Application. All Illinois Adoption

1 Registry Applications, Information Exchange Authorizations,
2 Denials of Information Exchange, requests to revoke an
3 Information Exchange Authorization or Denial of Information
4 Exchange, Birth Parent Preference Forms, and affidavits
5 submitted to the Registry shall be accompanied by proof of
6 identification.

7 (Source: P.A. 96-895, eff. 5-21-10; revised 9-2-10.)

8 (750 ILCS 50/18.2) (from Ch. 40, par. 1522.2)

9 Sec. 18.2. Forms.

10 (a) The Department shall develop the Illinois Adoption
11 Registry forms as provided in this Section. The General
12 Assembly shall reexamine the content of the form as requested
13 by the Department, in consultation with the Registry Advisory
14 Council. The form of the Birth Parent Registration
15 Identification Form shall be substantially as follows:

16 BIRTH PARENT REGISTRATION IDENTIFICATION

17 (Insert all known information)

18 I,, state that I am the (mother or father) of the
19 following child:

20 Child's original name: (first) (middle)

21 (last), (hour of birth), (date of birth),

22 (city and state of birth), (name of
23 hospital).

24 Father's full name: (first) (middle)

25 (last), (date of birth), (city and state of

1 birth).

2 Name of mother inserted on birth certificate: (first)
3 (middle) (last), (race), (date
4 of birth), (city and state of birth).

5 That I surrendered my child to: (name of agency),
6 (city and state of agency), (approximate date
7 child surrendered).

8 That I placed my child by private adoption: (date),
9 (city and state).

10 Name of adoptive parents, if known:

11 Other identifying information:

12
13 (Signature of parent)
14
15 (date) (printed name of parent)

16 (b) The form of the Adopted Person Registration
17 Identification shall be substantially as follows:

18 ADOPTED PERSON
19 REGISTRATION IDENTIFICATION
20 (Insert all known information)

21 I,, state the following:

22 Adopted Person's present name: (first)
23 (middle) (last).

24 Adopted Person's name at birth (if known): (first)
25 (middle) (last), (birth date),

1 (city and state of birth), (sex), (race).
2 Name of adoptive father: (first) (middle)
3 (last), (race).
4 Maiden name of adoptive mother: (first)
5 (middle) (last), (race).
6 Name of birth mother (if known): (first)
7 (middle) (last), (race).
8 Name of birth father (if known): (first)
9 (middle) (last), (race).
10 Name(s) at birth of sibling(s) having a common birth parent
11 with adoptee (if known): (first) (middle)
12 (last), (race), and name of common birth
13 parent: (first) (middle) (last),
14 (race).
15 I was adopted through: (name of agency).
16 I was adopted privately: (state "yes" if known).
17 I was adopted in (city and state), (approximate
18 date).
19 Other identifying information:
20
21 (signature of adoptee)
22
23 (date) (printed name of adoptee)

24 (c) The form of the Surrendered Person Registration
25 Identification shall be substantially as follows:

SURRENDERED PERSON REGISTRATION

IDENTIFICATION

(Insert all known information)

I,, state the following:

Surrendered Person's present name: (first) (middle) (last).

Surrendered Person's name at birth (if known): (first) (middle) (last),(birth date), (city and state of birth), (sex), (race).

Name of guardian father: (first) (middle) (last), (race).

Maiden name of guardian mother: (first) (middle) (last), (race).

Name of birth mother (if known): (first) (middle) (last) (race).

Name of birth father (if known): (first) (middle) (last),(race).

Name(s) at birth of sibling(s) having a common birth parent with surrendered person (if known): (first) (middle) (last), (race), and name of common birth parent: (first) (middle) (last), (race).

I was surrendered for adoption to: (name of agency).

I was surrendered for adoption in (city and state), (approximate date).

1 Other identifying information:

2

3 (signature of surrendered person)

4

5 (date) (printed name of person

6 surrendered for adoption)

7 (c-3) The form of the Registration Identification Form for

8 Surviving Relatives of Deceased Birth Parents shall be

9 substantially as follows:

10 REGISTRATION IDENTIFICATION FORM

11 FOR SURVIVING RELATIVES OF DECEASED BIRTH PARENTS

12 (Insert all known information)

13 I,, state the following:

14 Name of deceased birth parent at time of surrender:

15 Deceased birth parent's date of birth:

16 Deceased birth parent's date of death:

17 Adopted or surrendered person's name at birth (if known):

18(first) (middle) (last),(birth

19 date), (city and state of birth), (sex),

20 (race).

21 My relationship to the adopted or surrendered person (check

22 one): (birth parent's non-surrendered child) (birth parent's

23 sister) (birth parent's brother).

24 If you are a non-surrendered child of the birth parent, provide

1 name(s) at birth and age(s) of non-surrendered siblings having
2 a common parent with the birth parent. If more than one
3 sibling, please give information requested below on reverse
4 side of this form. If you are a sibling or parent of the birth
5 parent, provide name(s) at birth and age(s) of the sibling(s)
6 of the birth parent. If more than one sibling, please give
7 information requested below on reverse side of this form.

8 Name (First) (middle) (last),(birth
9 date), (city and state of birth), (sex),
10 (race).

11 Name(s) of common parent(s) (first) (middle)
12 (last),(race), (first) (middle)
13 (last),(race).

14 My birth sibling/child of my brother/child of my sister/ was
15 surrendered for adoption to (name of agency) City and
16 state of agency Date(approximate) Other
17 identifying information (Please note that you must: (i)
18 be at least 21 years of age to register; (ii) submit with your
19 registration a certified copy of the birth parent's birth
20 certificate; (iii) submit a certified copy of the birth
21 parent's death certificate; and (iv) if you are a
22 non-surrendered birth sibling or a sibling of the deceased
23 birth parent, also submit a certified copy of your birth
24 certificate with this registration. No application from a
25 surviving relative of a deceased birth parent can be accepted
26 if the birth parent filed a Denial of Information Exchange

1 prior to his or her death.)

2

3 (signature of birth parent's surviving relative)

4

5 (date) (printed name of birth

6 parent's surviving relative)

7 (c-5) The form of the Registration Identification Form for
8 Surviving Relatives of Deceased Adopted or Surrendered Persons
9 shall be substantially as follows:

10 REGISTRATION IDENTIFICATION FORM FOR
11 SURVIVING RELATIVES OF DECEASED ADOPTED OR SURRENDERED PERSONS

12 (Insert all known information)

13 I,, state the following:

14 Adopted or surrendered person's name at birth (if known):
15 (first) (middle) (last),(birth
16 date), (city and state of birth), (sex),
17 (race).

18 Adopted or surrendered person's date of death:

19 My relationship to the deceased adopted or surrendered
20 person(check one): (adoptive mother) (adoptive father) (adult
21 child) (surviving spouse).

22 If you are an adult child or surviving spouse of the adopted or
23 surrendered person, provide name(s) at birth and age(s) of the
24 children of the adopted or surrendered person. If the adopted

1 or surrendered person had more than one child, please give
2 information requested below on reverse side of this form.

3 Name (first) (middle) (last),(birth
4 date), (city and state of birth), (sex),
5 (race).

6 Name(s) of common parent(s) (first) (middle)
7 (last),(race), (first) (middle)
8 (last),(race).

9 My child/parent/deceased spouse was surrendered for
10 adoption to(name of agency) City and state of agency
11 Date (approximate) Other identifying
12 information (Please note that you must: (i) be at
13 least 21 years of age to register; (ii) submit with your
14 registration a certified copy of the adopted or surrendered
15 person's death certificate; (iii) if you are the child of a
16 deceased adopted or surrendered person, also submit a
17 certified copy of your birth certificate with this
18 registration; and (iv) if you are the surviving wife or
19 husband of a deceased adopted or surrendered person, also
20 submit a copy of your marriage certificate with this
21 registration. No application from a surviving relative of a
22 deceased adopted or surrendered person can be accepted if
23 the adopted or surrendered person filed a Denial of
24 Information Exchange prior to his or her death.)

25
26 (signature of adopted or surrendered person's surviving

1 relative)

2
3 (date) (printed name of adopted
4 person's surviving relative)

5 (d) The form of the Information Exchange Authorization
6 shall be substantially as follows:

7 INFORMATION EXCHANGE AUTHORIZATION

8 I,, state that I am the person who completed the
9 Registration Identification; that I am of the age of
10 years; that I hereby authorize the Department of Public Health
11 to give to the following person(s) (birth mother) (birth
12 father) (birth sibling) (adopted or surrendered person)
13 (adoptive mother) (adoptive father) (legal guardian of an
14 adopted or surrendered person) (birth aunt) (birth uncle)
15 (adult child of a deceased adopted or surrendered person)
16 (surviving spouse of a deceased adopted or surrendered person)
17 (all eligible relatives) the following (please check the
18 information authorized for exchange):

- 19 [] 1. Only my name and last known address.
- 20 [] 2. A copy of my Illinois Adoption Registry
21 Application.
- 22 [] 3. A non-certified copy of the adopted or
23 surrendered person's original certificate of live birth

1 (check only if you are an adopted or surrendered person or
2 the surviving adult child or surviving spouse of a deceased
3 adopted or surrendered person).

4 [] 4. A copy of my completed medical questionnaire.

5 I am fully aware that I can only be supplied with
6 information about an individual or individuals who have duly
7 executed an Information Exchange Authorization that has not
8 been revoked or, if I am an adopted or surrendered person, from
9 a birth parent who completed a Birth Parent Preference Form and
10 did not prohibit the release of his or her identity to me; that
11 I can be contacted by writing to: (own name or name of
12 person to contact) (address) (phone number).

13 NOTE: New IARMIE registrants who do not complete a Medical
14 Information Exchange Questionnaire and release a copy of their
15 questionnaire to at least one Registry applicant must pay a \$15
16 registration fee.

17 Dated (insert date).

18
19 (signature)

20 (e) The form of the Denial of Information Exchange shall be
21 substantially as follows:

22 DENIAL OF INFORMATION EXCHANGE

23 I,, state that I am the person who completed the
24 Registration Identification; that I am of the age of
25 years; that I hereby instruct the Department of Public Health

1 not to give any identifying information about me to the
2 following person(s) (birth mother) (birth father) (birth
3 sibling)(adopted or surrendered person)(adoptive mother)
4 (adoptive father)(legal guardian of an adopted or surrendered
5 person)(birth aunt)(birth uncle)(adult child of a deceased
6 adopted or surrendered person) (surviving spouse of a deceased
7 adopted or surrendered person) (all eligible relatives).

8 ~~IMPORTANT NOTE: A DENIAL FILED BY A BIRTH PARENT ON OR AFTER~~
9 ~~JANUARY 1, 2011, SHALL NOT PROHIBIT THE RELEASE OF THE BIRTH~~
10 ~~PARENT'S IDENTIFYING INFORMATION ON THE ORIGINAL BIRTH~~
11 ~~CERTIFICATE OF AN ADULT ADOPTED OR SURRENDERED PERSON. BIRTH~~
12 ~~PARENTS WHO WISH TO PROHIBIT THE RELEASE OF THEIR IDENTIFYING~~
13 ~~INFORMATION ON THE ORIGINAL BIRTH CERTIFICATE OF AN ADULT~~
14 ~~ADOPTED OR SURRENDERED PERSON SHALL FILE A BIRTH PARENT~~
15 ~~PREFERENCE FORM ON OR AFTER JANUARY 1, 2011. DENIALS FILED BY A~~
16 ~~BIRTH PARENT BEFORE JANUARY 1, 2011, WILL EXPIRE UPON THE DEATH~~
17 ~~OF THE BIRTH PARENT WITH RESPECT TO ACCESS TO IDENTIFYING~~
18 ~~INFORMATION ON THE ORIGINAL BIRTH CERTIFICATE RELEASED TO AN~~
19 ~~ADULT ADOPTED OR SURRENDERED PERSON OR TO A SURVIVING ADULT~~
20 ~~CHILD OR SURVIVING SPOUSE OF A DECEASED ADOPTED OR SURRENDERED~~
21 ~~PERSON.~~

22 I do/do not (circle appropriate response) authorize the
23 Registry to release a copy of my completed Medical Information
24 Exchange Questionnaire to qualified Registry applicants. NOTE:
25 New IARMIE registrants who do not complete a Medical
26 Information Exchange Questionnaire and release a copy of their

1 questionnaire to at least one Registry applicant must pay a \$15
2 registration fee. Birth parents filing a Denial of Information
3 Exchange are advised that, under Illinois law, an adult adopted
4 person may initiate a search for a birth parent who has filed a
5 Denial of Information Exchange or Birth Parent Preference Form
6 on which Option E was selected through the State confidential
7 intermediary program once 5 years have elapsed since the filing
8 of the Denial of Information Exchange or Birth Parent
9 Preference Form.

10 Dated (insert date).

11

12 (signature)

13 (f) The form of the Birth Parent Preference Form shall be
14 substantially as follows:

15 In recognition of the basic right of all persons to access
16 their birth records, Illinois law now provides for the release
17 of original birth certificates to adopted and surrendered
18 persons 21 years of age or older upon request. While many birth
19 parents are comfortable sharing their identities or initiating
20 contact with their birth sons and daughters once they have
21 reached adulthood, Illinois law also recognizes that there may
22 be unique situations where a birth parent might have a
23 compelling reason for not wishing to establish contact with a
24 birth son or birth daughter or for not wishing to release
25 identifying information that appears on the original birth

1 certificate of a birth son or birth daughter who has reached
2 adulthood. The Illinois Adoption Registry and Medical
3 Information Exchange (IARMIE) has therefore established the
4 attached ~~this~~ form to allow birth parents ~~whose birth son or~~
5 ~~daughter was born on or after January 1, 1946,~~ to express their
6 preferences ~~wishes~~ regarding contact; and, if their birth child
7 was born on or after January 1, 1946, to express their wishes
8 regarding the sharing of identifying information listed on the
9 original birth certificate with an adult adopted or surrendered
10 person who has reached the age of 21 or his or her surviving
11 relatives.

12 In selecting one of the 5 options below, birth parents
13 should keep in mind that the decision to deny an adult adopted
14 or surrendered person access to identifying information on his
15 or her original birth record and/or information about
16 genetically-transmitted diseases is an important decision ~~one~~
17 that may ~~can~~ impact the adopted or surrendered person's life in
18 many ways. A request for anonymity on this form only pertains
19 to information that is provided to an adult adopted or
20 surrendered person or his or her surviving relatives through
21 the Registry. This will ~~and does~~ not prevent the disclosure of
22 identifying information that may be available to the adoptee
23 through his or her adoptive parents and/or other means
24 available to him or her. Birth parents who would prefer not to
25 be contacted by their surrendered son or daughter are strongly
26 urged to complete both the Non-Identifying Information Section

1 included on the final page of the attached form ~~this document~~
2 and the Medical Questionnaire in order to provide their
3 surrendered son or daughter with the background information he
4 or she ~~their surrendered son or daughter~~ may need to better
5 understand ~~himself or herself~~ and his or her origins. Birth
6 parents whose birth son or birth daughter is under 21 years of
7 age at the time of the completion of this form are reminded
8 that no original birth certificate will be released by the
9 IARMIE before an adoptee has reached the age of 21.
10 ~~Furthermore, birth parents whose surrendered son or daughter is~~
11 ~~under 21 years of age at the time of completion of this form~~
12 ~~are reminded that, since no original birth certificates are~~
13 ~~released by the IARMIE before an adoptee has reached the age of~~
14 ~~21, and birth parents are encouraged to take as much time as~~
15 ~~they need to weigh the options available to them before~~
16 ~~completing this form.~~ Should you need additional assistance in
17 completing this form, please contact the agency that handled
18 the adoption, if applicable, or the Illinois Adoption Registry
19 and Medical Information Exchange at 877-323-5299 ~~217-557-5159~~.

20 After careful consideration, I, ~~(insert your name)~~,
21 have made the following decision regarding contact with my
22 birth son/birth daughter, (insert birth son's/birth daughter's
23 name at birth, if applicable), who was born in (insert
24 city/town of birth) on (insert date of birth)..... and
25 the release of my identifying information as it appears on
26 his/her original birth certificate when he/she reaches the age

1 of 21, and I have chosen Option (insert A, B, C, D, or E,
 2 as applicable). I realize that this form must be accompanied by
 3 a completed IARMIE application form as well as a Medical
 4 Information Exchange Questionnaire or the \$15 registration
 5 fee. I am also aware that I may revoke this decision at any
 6 time by completing a new Birth Parent Preference Form and
 7 filing it with the IARMIE. I understand that it is my
 8 responsibility to update the IARMIE with any changes to contact
 9 information provided below. I also understand that, while
 10 preferences regarding the release of identifying information
 11 through the Registry are binding unless the law should change
 12 in the future, any selection I have made regarding my preferred
 13 method of contact is not.

14
 15 (Signature/Date)

16 (Please insert your signature and today's date above, as well
 17 as under your chosen option, A, B, C, D, or E below.)

18 Option A. My birth son or birth daughter was born on or after
 19 January 1, 1946, and I agree to the release of my identifying
 20 information as it appears on my birth son's/birth daughter's
 21 original birth certificate, OR my birth son or birth daughter
 22 was born prior to January 1, 1946. I would welcome direct
 23 contact with my birth son/birth daughter when he or she has
 24 reached the age of 21. In addition, before my birth son or

1 birth daughter has reached the age of 21 or in the event of his
 2 or her death, I would welcome contact with the following
 3 relatives of my birth child (circle all that apply): adoptive
 4 mother, adoptive father, surviving spouse, surviving adult
 5 child. ~~and~~ I wish to be contacted at the following mailing
 6 address, email address or phone number:

7
 8
 9
 10

11 (Signature/Date)

12 Option B. My birth son or birth daughter was born on or after
 13 January 1, 1946, and I agree to the release of my identifying
 14 information as it appears on my birth son's/birth daughter's
 15 original birth certificate, OR my birth son or birth daughter
 16 was born prior to January 1, 1946. I would welcome contact with
 17 my birth son/birth daughter when he or she has reached the age
 18 of 21. In addition, before my birth son or birth daughter has
 19 reached the age of 21 or in the event of his or her death, I
 20 would welcome contact with the following relatives of my birth
 21 child (circle all that apply): adoptive mother, adoptive
 22 father, surviving spouse, surviving adult child. ~~but~~ I would
 23 prefer to be contacted through the following person. (Insert
 24 name and mailing address, email address or phone number of
 25 chosen contact person.)

1
 2
 3 (Signature/Date)

4 Option C. My birth son or birth daughter was born on or after
 5 January 1, 1946, and I agree to the release of my identifying
 6 information ~~name~~ as it appears on my birth son's/birth
 7 daughter's original birth certificate, OR my birth son or birth
 8 daughter was born prior to January 1, 1946. I would welcome
 9 contact with my birth son/birth daughter when he or she has
 10 reached the age of 21. In addition, before my birth son or
 11 birth daughter has reached the age of 21 or in the event of his
 12 or her death, I would welcome contact with the following
 13 relatives of my birth child (circle all that apply): adoptive
 14 mother, adoptive father, surviving spouse, surviving adult
 15 child. ~~but~~ I would prefer to be contacted through the
 16 Illinois Confidential Intermediary Program ~~confidential~~
 17 ~~intermediary program~~ (please call 800-526-9022 for additional
 18 information) or through the agency that handled the adoption.
 19 (Insert agency name, address and phone number, if applicable.)

20
 21
 22 (Signature/Date)

23 Option D. My birth son or birth daughter was born on or after
 24 January 1, 1946, and I agree to the release of my identifying

1 information ~~name~~ as it appears on my birth son's/birth
 2 daughter's original birth certificate when he or she has
 3 reached the age of 21, OR my birth son or birth daughter was
 4 born prior to January 1, 1946. ~~but~~ I would prefer not to be
 5 contacted by my birth son/birth daughter or his or her adoptive
 6 parents or surviving relatives ~~when he or she has reached the~~
 7 ~~age of 21.~~

8
 9 (Signature/Date)

10 Option E. My birth son or birth daughter was born on or after
 11 January 1, 1946, and I wish to prohibit the release of my
 12 (circle ALL applicable options) first name, last name, last
 13 known address, birth son/birth daughter's last name (if last
 14 name listed is same as mine), as they appear on my birth
 15 son's/birth daughter's original birth certificate and do not
 16 wish to be contacted by my birth son/birth daughter when he or
 17 she has reached the age of 21. If there were any special
 18 circumstances that played a role in your decision to remain
 19 anonymous which you would like to share with your birth
 20 son/birth daughter, please list them in the space provided
 21 below (optional).

22
 23

24 I understand that, although I have chosen to prohibit the
 25 release of my identity on the non-certified copy of the

1 original birth certificate released to my birth son/birth
 2 daughter, he or she may request that a court-appointed
 3 confidential intermediary contact me to request updated
 4 medical information and/or confirm my desire to remain
 5 anonymous once 5 years have elapsed since the signing of this
 6 form; at the time of this subsequent search, I wish to be
 7 contacted through the person named below. (Insert in blank area
 8 below the name and phone number of the contact person, or leave
 9 it blank if you wish to be contacted directly.) I also
 10 understand that this request for anonymity shall expire upon my
 11 death.

12
 13

14 (Signature/Date)

15 NOTE: A copy of this form will be forwarded to your birth son
 16 or birth daughter should he or she file a request for his or
 17 her original birth certificate with the IARMIE. However, if you
 18 have selected Option E, identifying information, per your
 19 specifications above, will be deleted from the copy of this
 20 form forwarded to your birth son or daughter during your
 21 lifetime. In the event that an adopted or surrendered person is
 22 deceased, his or her surviving adult children may request a
 23 copy of the adopted or surrendered person's original birth
 24 certificate providing they have registered with the IARMIE; the
 25 copy of this form and the non-certified copy of the original

1 birth certificate forwarded to the surviving child of the
2 adopted or surrendered person shall be redacted per your
3 specifications on this form during your lifetime.

4 Non-Identifying Information Section

5 I wish to voluntarily provide the following non-identifying
6 information to my birth son or birth daughter ~~surrendered son~~
7 ~~or daughter~~:

8 My age at the time of my child's birth was

9 My race is best described as:

10 My height is:

11 My body type is best described as (circle one): slim, average,
12 muscular, a few extra pounds, or more than a few extra pounds.

13 My natural hair color is/was:

14 My eye color is:

15 My religion is best described as:

16 My ethnic background is best described as:

17 My educational level is closest to (circle applicable
18 response): completed elementary school, graduated from
19 high school, attended college, earned bachelor's degree,
20 earned master's degree, earned doctoral degree.

21 My occupation is best described as

22 My hobbies include

23 My interests include

24 My talents include

25 In addition to my surrendered son or daughter, I also
26 am the biological parent of (insert number) boys and

1 (insert number) girls, of whom (insert number)
2 are still living.

3 The relationship between me and my child's birth mother/birth
4 father would best be described as (circle appropriate
5 response): husband and wife, ex-spouses, boyfriend and
6 girlfriend, casual acquaintances, other (please specify)
7

8 (g) The form of the Request for a Non-Certified Copy of an
9 Original Birth Certificate shall be substantially as follows:

10 REQUEST FOR A NON-CERTIFIED COPY OF AN ORIGINAL BIRTH
11 CERTIFICATE

12 I, (requesting party's full name), hereby request a
13 non-certified copy of (check appropriate option) my
14 original birth certificate the original birth
15 certificate of my deceased adopted or surrendered parent
16 the original birth certificate of my deceased adopted or
17 surrendered spouse (insert deceased parent's/deceased spouse's
18 name at adoption) I/my deceased parent/my deceased
19 spouse was born in (insert city and county of adopted or
20 surrendered person's birth) on (insert adopted or
21 surrendered person's date of birth). In the event that one or
22 both of my/my deceased parent's/my deceased spouse's birth
23 parents has requested that their identity not be released to
24 me/to my deceased parent/to my deceased spouse, I wish to
25 (check appropriate option) a. receive a non-certified
26 copy of the original birth certificate from which identifying

1 information pertaining to the birth parent who requested
2 anonymity has been deleted; or b. I do not wish to
3 received an altered copy of the original birth certificate.

4 Dated (insert date).

5

6 (signature)

7 (h) Any Information Exchange Authorization, Denial of
8 Information Exchange, or Birth Parent Preference Form filed
9 with the Registry, or Request for a Non-Certified Copy of an
10 Original Birth Certificate filed with the Registry by a
11 surviving adult child or surviving spouse of a deceased adopted
12 or surrendered person, shall be acknowledged by the person who
13 filed it before a notary public, in form substantially as
14 follows:

15 State of

16 County of

17 I, a Notary Public, in and for the said County, in the
18 State aforesaid, do hereby certify that
19 personally known to me to be the same person whose name is
20 subscribed to the foregoing certificate of acknowledgement,
21 appeared before me in person and acknowledged that (he or she)
22 signed such certificate as (his or her) free and voluntary act
23 and that the statements in such certificate are true.

24 Given under my hand and notarial seal on (insert date).

25

1

(signature)

2

(i) When the execution of an Information Exchange
 Authorization, Denial of Information Exchange, or Birth Parent
 Preference Form or Request for a Non-Certified Copy of an
 Original Birth Certificate completed by a surviving adult child
 or surviving spouse of a deceased adopted or surrendered person
 is acknowledged before a representative of an agency, such
 representative shall have his signature on said Certificate
 acknowledged before a notary public, in form substantially as
 follows:

11

State of.....

12

County of.....

13

I, a Notary Public, in and for the said County, in the
 State aforesaid, do hereby certify that personally known
 to me to be the same person whose name is subscribed to the
 foregoing certificate of acknowledgement, appeared before me
 in person and acknowledged that (he or she) signed such
 certificate as (his or her) free and voluntary act and that the
 statements in such certificate are true.

20

Given under my hand and notarial seal on (insert date).

21

.....

22

(signature)

23

(j) When an Illinois Adoption Registry Application,
 Information Exchange Authorization, Denial of Information

24

1 Exchange, Birth Parent Preference Form, or Request for a
2 Non-Certified Copy of an Original Birth Certificate completed
3 by a surviving adult child or surviving spouse of a deceased
4 adopted or surrendered person is executed in a foreign country,
5 the execution of such document shall be acknowledged or
6 affirmed before an officer of the United States consular
7 services.

8 (k) If the person signing an Information Exchange
9 Authorization, Denial of Information, Birth Parent Preference
10 Form, or Request for a Non-Certified Copy of an Original Birth
11 Certificate completed by a surviving adult child or surviving
12 spouse of a deceased adopted or surrendered person is in the
13 military service of the United States, the execution of such
14 document may be acknowledged before a commissioned officer and
15 the signature of such officer on such certificate shall be
16 verified or acknowledged before a notary public or by such
17 other procedure as is then in effect for such division or
18 branch of the armed forces.

19 (l) An adopted or surrendered person who completes a
20 Request For a Non-Certified Copy of the Original Birth
21 Certificate shall meet the same filing requirements and pay the
22 same filing fees as a non-adopted person seeking to obtain a
23 copy of his or her original birth certificate.

24 (Source: P.A. 96-895, eff. 5-21-10.)

1 Sec. 18.3a. Confidential intermediary.

2 (a) General purposes. Notwithstanding any other provision
3 of this Act, any adopted or surrendered person 21 years of age
4 or over, any adoptive parent or legal guardian of an adopted or
5 surrendered person under the age of 21, or any birth parent of
6 an adopted or surrendered person who is 21 years of age or over
7 may petition the court in any county in the State of Illinois
8 for appointment of a confidential intermediary as provided in
9 this Section for the purpose of exchanging medical information
10 with one or more mutually consenting biological relatives,
11 obtaining identifying information about one or more mutually
12 consenting biological relatives, or arranging contact with one
13 or more mutually consenting biological relatives.
14 Additionally, in cases where an adopted or surrendered person
15 is deceased, an adult child of the adopted or surrendered
16 person or his or her adoptive parents or surviving spouse may
17 file a petition under this Section and in cases where the birth
18 parent is deceased, an adult birth sibling of the adopted or
19 surrendered person or of the deceased birth parent may file a
20 petition under this Section for the purpose of exchanging
21 medical information with one or more mutually consenting
22 biological relatives of the adopted or surrendered person,
23 obtaining identifying information about one or more mutually
24 consenting biological relatives of the adopted or surrendered
25 person, or arranging contact with one or more mutually
26 consenting biological relatives of the adopted or surrendered

1 person. Beginning January 1, 2006, any adopted or surrendered
2 person 21 years of age or over; any adoptive parent or legal
3 guardian of an adopted or surrendered person under the age of
4 21; any birth parent, birth sibling, birth aunt, or birth uncle
5 of an adopted or surrendered person over the age of 21; any
6 surviving child, adoptive parent, or surviving spouse of a
7 deceased adopted or surrendered person who wishes to petition
8 the court for the appointment of a confidential intermediary
9 shall be required to accompany their petition with proof of
10 registration with the Illinois Adoption Registry and Medical
11 Information Exchange.

12 (b) Petition. Upon petition by an adopted or surrendered
13 person 21 years of age or over (an "adult adopted or
14 surrendered person"), an adoptive parent or legal guardian of
15 an adopted or surrendered person under the age of 21, or a
16 birth parent of an adopted or surrendered person who is 21
17 years of age or over, the court shall appoint a confidential
18 intermediary. Upon petition by an adult child, adoptive parent
19 or surviving spouse of an adopted or surrendered person who is
20 deceased, by an adult birth sibling of an adopted or
21 surrendered person whose common birth parent is deceased and
22 whose adopted or surrendered birth sibling is 21 years of age
23 or over, or by an adult sibling of a birth parent who is
24 deceased, and whose surrendered child is 21 years of age or
25 over, the court may appoint a confidential intermediary if the
26 court finds that the disclosure is of greater benefit than

1 nondisclosure. The petition shall state which biological
2 relative or relatives are being sought and shall indicate if
3 the petitioner wants to do any one or more of the following:
4 exchange medical information with the biological relative or
5 relatives, obtain identifying information from the biological
6 relative or relatives, or to arrange contact with the
7 biological relative.

8 (c) Order. The order appointing the confidential
9 intermediary shall allow that intermediary to conduct a search
10 for the sought-after relative by accessing those records
11 described in subsection (g) of this Section.

12 (d) Fees and expenses. The court shall condition the
13 appointment of the confidential intermediary on the
14 petitioner's payment of the intermediary's fees and expenses in
15 advance of the commencement of the work of the confidential
16 intermediary. However, no fee shall be charged if the
17 petitioner is an adult adopted or surrendered person and the
18 sought-after relative is a birth parent who filed a Denial with
19 the Registry prior to January 1, 2011, or filed a Birth Parent
20 Preference Form on which Option E was selected after January 1,
21 2011 and more than 5 years have transpired since the birth
22 parent filed the Denial of Information Exchange or Birth Parent
23 Preference Form on which Option E was selected.

24 (e) Eligibility of intermediary. The court may appoint as
25 confidential intermediary any person certified by the
26 Department of Children and Family Services as qualified to

1 serve as a confidential intermediary. Certification shall be
2 dependent upon the confidential intermediary completing a
3 course of training including, but not limited to, applicable
4 federal and State privacy laws.

5 (f) Confidential Intermediary Council. There shall be
6 established under the Department of Children and Family
7 Services a Confidential Intermediary Advisory Council. One
8 member shall be an attorney representing the Attorney General's
9 Office appointed by the Attorney General. One member shall be a
10 currently certified confidential intermediary appointed by the
11 Director of the Department of Children and Family Services. The
12 Director shall also appoint 5 additional members. When making
13 those appointments, the Director shall consider advocates for
14 adopted persons, adoptive parents, birth parents, lawyers who
15 represent clients in private adoptions, lawyers specializing
16 in privacy law, and representatives of agencies involved in
17 adoptions. The Director shall appoint one of the 7 members as
18 the chairperson. An attorney from the Department of Children
19 and Family Services and the person directly responsible for
20 administering the confidential intermediary program shall
21 serve as ex-officio, non-voting advisors to the Council.
22 Council members shall serve at the discretion of the Director
23 and shall receive no compensation other than reasonable
24 expenses approved by the Director. The Council shall meet no
25 less than twice yearly and shall meet at least once yearly with
26 the Registry Advisory Council, and shall make recommendations

1 to the Director regarding the development of rules, procedures,
2 and forms that will ensure efficient and effective operation of
3 the confidential intermediary process, including:

4 (1) Standards for certification for confidential
5 intermediaries.

6 (2) Oversight of methods used to verify that
7 intermediaries are complying with the appropriate laws.

8 (3) Training for confidential intermediaries,
9 including training with respect to federal and State
10 privacy laws.

11 (4) The relationship between confidential
12 intermediaries and the court system, including the
13 development of sample orders defining the scope of the
14 intermediaries' access to information.

15 (5) Any recent violations of policy or procedures by
16 confidential intermediaries and remedial steps, including
17 decertification, to prevent future violations.

18 (g) Access. Subject to the limitations of subsection (i)
19 of this Section, the confidential intermediary shall have
20 access to vital records or a comparable public entity that
21 maintains vital records in another state in accordance with
22 that state's laws, maintained by the Department of Public
23 Health and its local designees for the maintenance of vital
24 records or a comparable public entity that maintains vital
25 records in another state in accordance with that state's laws
26 and all records of the court or any adoption agency, public or

1 private, as limited in this Section, which relate to the
2 adoption or the identity and location of an adopted or
3 surrendered person, of an adult child or surviving spouse of a
4 deceased adopted or surrendered person, or of a birth parent,
5 birth sibling, or the sibling of a deceased birth parent. The
6 confidential intermediary shall not have access to any personal
7 health information protected by the Standards for Privacy of
8 Individually Identifiable Health Information adopted by the
9 U.S. Department of Health and Human Services under the Health
10 Insurance Portability and Accountability Act of 1996 unless the
11 confidential intermediary has obtained written consent from
12 the person whose information is being sought by an adult
13 adopted or surrendered person or, if that person is a minor
14 child, that person's parent or guardian. Confidential
15 intermediaries shall be authorized to inspect confidential
16 relinquishment and adoption records. The confidential
17 intermediary shall not be authorized to access medical records,
18 financial records, credit records, banking records, home
19 studies, attorney file records, or other personal records. In
20 cases where a birth parent is being sought, an adoption agency
21 shall inform the confidential intermediary of any statement
22 filed pursuant to Section 18.3, hereinafter referred to as "the
23 18.3 statement", indicating a desire of the surrendering birth
24 parent to have identifying information shared or to not have
25 identifying information shared. If there was a clear statement
26 of intent by the sought-after birth parent not to have

1 identifying information shared, the confidential intermediary
2 shall discontinue the search and inform the petitioning party
3 of the sought-after relative's intent unless the birth parent
4 filed the 18.3 statement prior to the effective date of this
5 amendatory Act of the 96th General Assembly and more than 5
6 years have elapsed since the filing of the 18.3 statement. If
7 the adult adopted or surrendered person is the subject of an
8 18.3 statement indicating a desire not to establish contact
9 which was filed more than 5 years prior to the search request,
10 the confidential intermediary shall confirm the petitioner's
11 desire to continue the search. Information provided to the
12 confidential intermediary by an adoption agency shall be
13 restricted to the full name, date of birth, place of birth,
14 last known address, last known telephone number of the
15 sought-after relative or, if applicable, of the children or
16 siblings of the sought-after relative, and the 18.3 statement.

17 (h) Adoption agency disclosure of medical information. If
18 the petitioner is an adult adopted or surrendered person or the
19 adoptive parent of a minor and if the petitioner has signed a
20 written authorization to disclose personal medical
21 information, an adoption agency disclosing information to a
22 confidential intermediary shall disclose available medical
23 information about the adopted or surrendered person from birth
24 through adoption.

25 (i) Duties of confidential intermediary in conducting a
26 search. In conducting a search under this Section, the

1 confidential intermediary shall first confirm that there is no
2 Denial of Information Exchange on file with the Illinois
3 Adoption Registry. If the petitioner is an adult child of an
4 adopted or surrendered person who is deceased, the confidential
5 intermediary shall additionally confirm that the adopted or
6 surrendered person did not file a Denial of Information
7 Exchange or a Birth Parent Preference Form with Option E
8 selected with the Illinois Adoption Registry during his or her
9 life. If there is a Denial on file with the Registry, the
10 confidential intermediary must discontinue the search unless
11 the petitioner is an adult adopted or surrendered person and
12 the sought-after birth relative filed the Denial 5 years or
13 more prior to the search or the birth parent has not been the
14 object of a search through the State confidential intermediary
15 program for 10 or more years. If the petitioner is an adult
16 adopted or surrendered person and there is a Birth Parent
17 Preference Form on file with the Registry and the birth parent
18 who completed the form selected Option E, the confidential
19 intermediary must discontinue the search unless 5 years or more
20 have elapsed since the filing of the Birth Parent Preference
21 Form. If the petitioner is an adult birth sibling of an adopted
22 or surrendered person or an adult sibling of a birth parent who
23 is deceased, the confidential intermediary shall additionally
24 confirm that the birth parent did not file a Denial of
25 Information Exchange or a Birth Parent Preference Form with
26 Option E selected with the Registry during his or her life. If

1 the confidential intermediary learns that a sought-after birth
2 parent signed an 18.3 statement indicating his or her intent
3 not to have identifying information shared, and did not later
4 file an Information Exchange Authorization or a Birth Parent
5 Preference Form with the Registry, the confidential
6 intermediary shall discontinue the search and inform the
7 petitioning party of the birth parent's intent, unless the
8 petitioner is an adult adopted or surrendered person and 5
9 years or more have elapsed since the birth parent signed the
10 statement indicating his or her intent not to have identifying
11 information shared. In cases where the birth parent filed a
12 Denial of Information Exchange or Birth Parent Preference Form
13 where Option E was selected, or statement indicating his or her
14 intent not to have identifying information shared less than 5
15 years prior to the search request and the petitioner is an
16 adult adopted or surrendered person, the confidential
17 intermediary shall inform the petitioner of the need to
18 discontinue the search until 5 years have elapsed since the
19 Denial of Information Exchange or Birth Parent Preference Form
20 where Option E was selected, or statement was filed; in cases
21 where a birth parent was previously the subject of a search
22 through the State confidential intermediary program, the
23 confidential intermediary shall inform the petitioner of the
24 need to discontinue the search until 10 years or more have
25 elapsed since the initial search was closed. In cases where a
26 birth parent has been the object of 2 searches through the

1 State confidential intermediary program, no subsequent search
2 for the birth parent shall be authorized absent a court order
3 to the contrary.

4 In conducting a search under this Section, the confidential
5 intermediary shall attempt to locate the relative or relatives
6 from whom the petitioner has requested information. If the
7 sought-after relative is deceased or cannot be located after a
8 diligent search, the confidential intermediary may contact
9 other adult relatives of the sought-after relative.

10 The confidential intermediary shall contact a sought-after
11 relative on behalf of the petitioner in a manner that respects
12 the sought-after relative's privacy and shall inform the
13 sought-after relative of the petitioner's request for medical
14 information, identifying information or contact as stated in
15 the petition. Based upon the terms of the petitioner's request,
16 the confidential intermediary shall contact a sought-after
17 relative on behalf of the petitioner and inform the
18 sought-after relative of the following options:

19 (1) The sought-after relative may totally reject one or
20 all of the requests for medical information, identifying
21 information or contact. The sought-after relative shall be
22 informed that they can provide a medical questionnaire to
23 be forwarded to the petitioner without releasing any
24 identifying information. The confidential intermediary
25 shall inform the petitioner of the sought-after relative's
26 decision to reject the sharing of information or contact.

1 (2) The sought-after relative may consent to
2 completing a medical questionnaire only. In this case, the
3 confidential intermediary shall provide the questionnaire
4 and ask the sought-after relative to complete it. The
5 confidential intermediary shall forward the completed
6 questionnaire to the petitioner and inform the petitioner
7 of the sought-after relative's desire to not provide any
8 additional information.

9 (3) The sought-after relative may communicate with the
10 petitioner without having his or her identity disclosed. In
11 this case, the confidential intermediary shall arrange the
12 desired communication in a manner that protects the
13 identity of the sought-after relative. The confidential
14 intermediary shall inform the petitioner of the
15 sought-after relative's decision to communicate but not
16 disclose his or her identity.

17 (4) The sought-after ~~sought-after~~ relative may consent
18 to initiate contact with the petitioner. If both the
19 petitioner and the sought-after relative or relatives are
20 eligible to register with the Illinois Adoption Registry,
21 the confidential intermediary shall provide the necessary
22 application forms and request that the sought-after
23 relative register with the Illinois Adoption Registry. If
24 either the petitioner or the sought-after relative or
25 relatives are ineligible to register with the Illinois
26 Adoption Registry, the confidential intermediary shall

1 obtain written consents from both parties that they wish to
2 disclose their identities to each other and to have contact
3 with each other.

4 (j) Oath. The confidential intermediary shall sign an oath
5 of confidentiality substantially as follows: "I,,
6 being duly sworn, on oath depose and say: As a condition of
7 appointment as a confidential intermediary, I affirm that:

8 (1) I will not disclose to the petitioner, directly or
9 indirectly, any confidential information except in a
10 manner consistent with the law.

11 (2) I recognize that violation of this oath subjects me
12 to civil liability and to a potential finding of contempt
13 of court.

14 SUBSCRIBED AND SWORN to before me, a Notary Public, on (insert
15 date)
16"

17 (k) Sanctions.

18 (1) Any confidential intermediary who improperly
19 discloses confidential information identifying a
20 sought-after relative shall be liable to the sought-after
21 relative for damages and may also be found in contempt of
22 court.

23 (2) Any person who learns a sought-after relative's
24 identity, directly or indirectly, through the use of
25 procedures provided in this Section and who improperly
26 discloses information identifying the sought-after

1 relative shall be liable to the sought-after relative for
2 actual damages plus minimum punitive damages of \$10,000.

3 (3) The Department shall fine any confidential
4 intermediary who improperly discloses confidential
5 information in violation of item (1) or (2) of this
6 subsection (k) an amount up to \$2,000 per improper
7 disclosure. This fine does not affect civil liability under
8 item (2) of this subsection (k). The Department shall
9 deposit all fines and penalties collected under this
10 Section into the Illinois Adoption Registry and Medical
11 Information Fund.

12 (1) Death of person being sought. Notwithstanding any other
13 provision of this Act, if the confidential intermediary
14 discovers that the person being sought has died, he or she
15 shall report this fact to the court, along with a copy of the
16 death certificate. If the sought-after relative is a birth
17 parent, the confidential intermediary shall also forward a copy
18 of the birth parent's death certificate, if available, to the
19 Registry for inclusion in the Registry file.

20 (m) Any confidential information obtained by the
21 confidential intermediary during the course of his or her
22 search shall be kept strictly confidential and shall be used
23 for the purpose of arranging contact between the petitioner and
24 the sought-after birth relative. At the time the case is
25 closed, all identifying information shall be returned to the
26 court for inclusion in the impounded adoption file.

1 (n) If the petitioner is an adopted or surrendered person
2 21 years of age or over or the adoptive parent or legal
3 guardian of an adopted or surrendered person under the age of
4 21, any non-identifying information, as defined in Section
5 18.4, that is ascertained during the course of the search may
6 be given in writing to the petitioner at any time during the
7 search before the case is closed.

8 (o) Except as provided in subsection (k) of this Section,
9 no liability shall accrue to the State, any State agency, any
10 judge, any officer or employee of the court, any certified
11 confidential intermediary, or any agency designated to oversee
12 confidential intermediary services for acts, omissions, or
13 efforts made in good faith within the scope of this Section.

14 (p) An adoption agency that has received a request from a
15 confidential intermediary for the full name, date of birth,
16 last known address, or last known telephone number of a
17 sought-after relative pursuant to subsection (g) of Section
18 18.3a, or for medical information regarding a sought-after
19 relative pursuant to subsection (h) of Section 18.3a, must
20 satisfactorily comply with this court order within a period of
21 45 days. The court shall order the adoption agency to reimburse
22 the petitioner in an amount equal to all payments made by the
23 petitioner to the confidential intermediary, and the adoption
24 agency shall be subject to a civil monetary penalty of \$1,000
25 to be paid to the Department of Children and Family Services.
26 Following the issuance of a court order finding that the

1 adoption agency has not complied with Section 18.3, the
2 adoption agency shall be subject to a monetary penalty of \$500
3 per day for each subsequent day of non-compliance. Proceeds
4 from such fines shall be utilized by the Department of Children
5 and Family Services to subsidize the fees of petitioners as
6 referenced in subsection (d) of this Section.

7 (q) Provide information to eligible petitioner. The
8 confidential intermediary may provide to eligible petitioners
9 as described in subsections (a) and (b) of this Section, the
10 name of the child welfare agency which had legal custody of the
11 surrendered person or responsibility for placing the
12 surrendered person and any available contact information for
13 such agency. In addition, the confidential intermediary may
14 provide to such petitioners the name of the state in which the
15 surrender occurred or in which the adoption was finalized.

16 Any reimbursements and fines, notwithstanding any
17 reimbursement directly to the petitioner, paid under this
18 subsection are in addition to other remedies a court may
19 otherwise impose by law.

20 The Department of Children and Family Services shall submit
21 reports to the Confidential Intermediary Advisory Council by
22 July 1 and January 1 of each year in order to report the
23 penalties assessed and collected under this subsection, the
24 amounts of related deposits into the DCFS Children's Services
25 Fund, and any expenditures from such deposits.

26 (Source: P.A. 96-661, eff. 8-25-09; 96-895, eff. 5-21-10.)

1 (750 ILCS 50/18.6) (from Ch. 40, par. 1522.6)

2 Sec. 18.6. Registry fees. The Department of Public Health
3 shall levy a fee for each registrant under Sections 18.05
4 through 18.5. A \$15 fee shall be charged for registering with
5 the Illinois Adoption Registry and Medical Information
6 Exchange. However, this fee shall be waived for all adopted or
7 surrendered persons, surviving children and spouses of
8 deceased adopted persons, adoptive parents, legal guardians,
9 birth parents, birth aunts, birth uncles, and birth siblings
10 who complete a Medical Information Exchange Questionnaire at
11 the time of registration and authorize its release to specified
12 registered parties, and for adoptive parents registering
13 within 12 months of the finalization of the adoption. All
14 persons who were registered with the Illinois Adoption Registry
15 prior to the effective date of this amendatory Act of 1999 and
16 who wish to update their registration may do so without charge.
17 No charge of any kind shall be made for the withdrawal of any
18 form provided in Section 18.2.

19 (Source: P.A. 96-895, eff. 5-21-10.)

20 Section 99. Effective date. This Act takes effect upon
21 becoming law."