



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB5459

Introduced 2/5/2010, by Rep. Elizabeth Coulson

SYNOPSIS AS INTRODUCED:

325 ILCS 2/35

Amends the Abandoned Newborn Infant Protection Act. Provides that the information packet given to a relinquishing parent in accordance with the Act shall not exceed 5 pages and shall include, in addition to other required information, a one-page brochure (self-mailer) that describes the Safe Haven Law; a one-page brochure (self-mailer) that describes the Illinois Adoption Registry; and a one-page brochure describing health information for the mother and how she can get medical care if she needs it. Requires the information packet to be designed in coordination between the Office of Vital Records and the Department of Children and Family Services. Requires the Office of Vital Records to continue to maintain and distribute the information packet, and to hold on file all foundling records of relinquished newborns. Effective immediately.

LRB096 18646 KTG 34029 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning children.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Abandoned Newborn Infant Protection Act is
5 amended by changing Section 35 as follows:

6 (325 ILCS 2/35)

7 Sec. 35. Information for relinquishing person.

8 (a) A hospital, police station, fire station, or emergency
9 medical facility that receives a newborn infant relinquished in
10 accordance with this Act must offer an information packet to
11 the relinquishing person and, if possible, must clearly inform
12 the relinquishing person that his or her acceptance of the
13 information is completely voluntary, that registration with
14 the Illinois Adoption Registry and Medical Information
15 Exchange is voluntary, that the person will remain anonymous if
16 he or she completes a Denial of Information Exchange, and that
17 the person has the option to provide medical information only
18 and still remain anonymous. The information packet must include
19 all of the following:

20 (1) All Illinois Adoption Registry and Medical
21 Information Exchange application forms, including the
22 Medical Information Exchange Questionnaire and the web
23 site address and toll-free phone number of the Registry.

1 (2) Written notice of the following:

2 (A) No sooner than 60 days following the date of
3 the initial relinquishment of the infant to a hospital,
4 police station, fire station, or emergency medical
5 facility, the child-placing agency or the Department
6 will commence proceedings for the termination of
7 parental rights and placement of the infant for
8 adoption.

9 (B) Failure of a parent of the infant to contact
10 the Department and petition for the return of custody
11 of the infant before termination of parental rights
12 bars any future action asserting legal rights with
13 respect to the infant.

14 (3) A resource list of providers of counseling services
15 including grief counseling, pregnancy counseling, and
16 counseling regarding adoption and other available options
17 for placement of the infant.

18 Upon request, the Department of Public Health shall provide
19 the application forms for the Illinois Adoption Registry and
20 Medical Information Exchange to hospitals, police stations,
21 fire stations, and emergency medical facilities.

22 (b) The information packet given to a relinquishing parent
23 in accordance with this Act shall not exceed 5 pages and shall
24 include, in addition to other information required under this
25 Act, the following:

26 (1) A one-page brochure (self-mailer) that describes

1 this Act.

2 (2) A one-page brochure (self-mailer) that describes
3 the Illinois Adoption Registry.

4 (3) A one-page brochure describing health information
5 for the mother and how she can get medical care if she
6 needs it.

7 The information packet shall be designed in coordination
8 between the Office of Vital Records and the Department of
9 Children and Family Services. The Office of Vital Records shall
10 continue to maintain and distribute the information packet.

11 (c) "Foundling records" shall be maintained through the
12 Office of Vital Records for all newborns relinquished under the
13 Act.

14 (Source: P.A. 92-408, eff. 8-17-01; 92-432, eff. 8-17-01;
15 93-820, eff. 7-27-04.)

16 Section 99. Effective date. This Act takes effect upon
17 becoming law.