

1 AN ACT concerning adoptions.

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

4 Section 5. The Adoption Act is amended by changing
5 Sections 18.05 and 18.06 as follows:

6 (750 ILCS 50/18.05)

7 Sec. 18.05. The Illinois Adoption Registry and Medical
8 Information Exchange.

9 (a) General function. Subject to appropriation, the
10 Department of Public Health shall redefine the function of
11 the Illinois Adoption Registry and create the Medical
12 Information Exchange in the manner outlined in subsections
13 (b) and (c) for the purpose of facilitating the voluntary
14 exchange of medical information between mutually consenting
15 birth parents or birth siblings and mutually consenting
16 adoptive parents or legal guardians of adopted or surrendered
17 persons under the age of 21 or adopted or surrendered persons
18 21 years of age or over. Adults who aged out of foster care,
19 their legal guardians, birth parents, and birth siblings may
20 use the Illinois Adoption Registry and Medical Information
21 Exchange in the same manner as consenting adult members of
22 birth families, adoptive parents, and legal guardians of
23 adopted and surrendered children and adult adopted or
24 surrendered persons. The Department shall establish rules for
25 the confidential operation of the Illinois Adoption Registry.
26 Beginning January 1, 2000, the Department shall conduct a
27 public information campaign through public service
28 announcements and other forms of media coverage and, for a
29 minimum of 4 years, through notices enclosed with driver's
30 license renewal applications, shall inform adopted and
31 surrendered persons born, surrendered, or adopted in Illinois

1 and their adoptive parents, legal guardians, birth parents
2 and birth siblings of the Illinois Adoption Registry and
3 Medical Information Exchange. The Department shall notify
4 all parties who registered with the Illinois Adoption
5 Registry prior to January 1, 2000 of the provisions of this
6 amendatory Act of 1999. The Illinois Adoption Registry shall
7 also maintain an informational Internet site where interested
8 parties may access information about the Illinois Adoption
9 Registry and Medical Information Exchange and download all
10 necessary application forms. The Illinois Adoption Registry
11 shall maintain statistical records regarding Registry
12 participation and publish and circulate to the public
13 informational material about the function and operation of
14 the Registry.

15 (b) Establishment of the Adoption/Surrender Records
16 File. When a person has voluntarily registered with the
17 Illinois Adoption Registry and completed an Illinois Adoption
18 Registry Application or a Registration Identification Form,
19 the Registry shall establish a new Adoption/Surrender Records
20 File. Such file may concern an adoption that was finalized
21 by a court action in the State of Illinois, an adoption of a
22 person born in Illinois finalized by a court action in a
23 state other than Illinois or in a foreign country, or a
24 surrender taken in the State of Illinois. Such file may be
25 established for adoptions or surrenders finalized prior to as
26 well as after the effective date of this amendatory Act of
27 1999. A file may be created in any manner to preserve
28 documents including but not limited to microfilm, optical
29 imaging, or electronic documents.

30 (c) Contents of the Adoption/Surrender Records File. An
31 established Adoption/Surrender Records File shall be limited
32 to the following items, to the extent that they are
33 available:

34 (1) The General Information Section and Medical

1 Information Exchange Questionnaire of any Illinois
2 Adoption Registry Application or a Registration
3 Identification Form which has been voluntarily completed
4 by the adopted or surrendered person or his or her
5 adoptive parents, legal guardians, birth parents, or
6 birth siblings.

7 (2) Any photographs voluntarily provided by any
8 registrant for the adopted or surrendered person or his
9 or her adoptive parents, legal guardians, birth parents,
10 or birth siblings at the time of registration or any time
11 thereafter. All such photographs shall be submitted in an
12 unsealed envelope no larger than 8 1/2" x 11", and shall
13 not include identifying information pertaining to any
14 person other than the registrant who submitted them. Any
15 such identifying information shall be redacted by the
16 Department or the information shall be returned for
17 removal of identifying information.

18 (3) Any Information Exchange Authorization or
19 Denial of Information Exchange which has been filed by a
20 registrant.

21 (4) For all adoptions finalized after January 1,
22 2000, copies of the original certificate of live birth
23 and the certificate of adoption.

24 (5) Any updated address submitted by any registered
25 party about himself or herself.

26 (6) Any proof of death which has been submitted by
27 an adopted or surrendered person, adoptive parent, legal
28 guardian, birth parent, or birth sibling.

29 (Source: P.A. 91-417, eff. 1-1-00.)

30 (750 ILCS 50/18.06)

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

33 "Adopted person" means a person who was adopted pursuant

1 to the laws in effect at the time of the adoption.

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

4 "Adult who aged out of foster care" means a person 21
5 years of age or over who as a minor was a ward of the court
6 because of abuse, neglect, or dependency and whose parents'
7 rights were neither surrendered nor terminated and who left
8 foster care without contact with a member of his or her birth
9 family.

10 "Agency" means a public child welfare agency or a
11 licensed child welfare agency.

12 "Birth father" means the biological father of an adopted
13 or surrendered person who is named on the original
14 certificate of live birth or on a consent or surrender
15 document, or a biological father whose paternity has been
16 established by a judgment or order of the court, pursuant to
17 the Illinois Parentage Act of 1984.

18 "Birth mother" means the biological mother of an adopted
19 or surrendered person.

20 "Birth parent" means a birth mother or birth father of an
21 adopted or surrendered person.

22 "Birth sibling" means the adult full or half sibling of
23 an adopted or surrendered person.

24 "Denial of Information Exchange" means an affidavit
25 completed by a registrant with the Illinois Adoption Registry
26 and Medical Information Exchange denying the release of
27 identifying information.

28 "Information Exchange Authorization" means an affidavit
29 completed by a registrant with the Illinois Adoption Registry
30 and Medical Information Exchange authorizing the release of
31 identifying information.

32 "Medical Information Exchange Questionnaire" means the
33 medical history questionnaire completed by a registrant of
34 the Illinois Adoption Registry and Medical Information

1 Exchange.

2 "Proof of death" means a death certificate.

3 "Registrant" or "Registered Party" means a birth parent,
4 birth sibling, adopted or surrendered person over the age of
5 21, or adoptive parent or legal guardian of an adopted or
6 surrendered person under the age of 21 who has filed an
7 Illinois Adoption Registry Application or Registration
8 Identification Form with the Registry.

9 "Surrendered person" means a person whose parents' rights
10 have been surrendered or terminated but who has not been
11 adopted.

12 (Source: P.A. 91-417, eff. 1-1-00.)