

The House Committee on Judiciary offers the following substitute to HB 65:

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 19-8-23 of the Official Code of Georgia Annotated, relating to
2 where records of adoption are kept, examination of adoption records by parties and attorneys,
3 and use of information by agency and department, so as to clarify that nonidentifying
4 medical information contained in adoption records shall be open to certain persons for
5 purposes of providing medical treatment and diagnoses; to provide for related matters; to
6 repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Code Section 19-8-23 of the Official Code of Georgia Annotated, relating to where records
10 of adoption are kept, examination of adoption records by parties and attorneys, and use of
11 information by agency and department, is amended by revising subsection (d) as follows:

12 "(d)(1) Upon the request of a party at interest in the adoption, a child, legal guardian, or
13 health care agent of an adopted person or ~~of~~ a provider of medical services to such a
14 party, child, legal guardian, or health care agent when certain information is ~~necessary~~
15 ~~because of~~ would assist in the provision of medical care, a medical emergency, or for
16 medical diagnosis or treatment, the department or child-placing agency ~~may, in its sole~~
17 ~~discretion,~~ shall access its own records on finalized adoptions for the purpose of adding
18 subsequently obtained medical information or releasing nonidentifying medical and
19 health history information contained in its records ~~on such~~ pertaining to an adopted
20 ~~persons~~ person or the biological parents or relatives of the biological parents of the
21 adopted person. For purposes of this paragraph, the term 'health care agent' has the
22 meaning provided by Code Section 31-32-2.

23 (2) Upon receipt by the ~~Office of Adoptions~~ State Adoption Unit of the Division of
24 Family and Children Services of the department or by a child-placing agency of
25 documented medical information relevant to an adoptee, the office or child-placing
26 agency shall use reasonable efforts to contact the adoptive parents of the adoptee if the

27 adoptee is under 18 years of age or the adoptee if he or she is 18 years of age or older and
28 provide such documented medical information to the adoptive parents or the adoptee.
29 The office or child-placing agency shall be entitled to reimbursement of reasonable costs
30 for postage and photocopying incurred in the delivery of such documented medical
31 information to the adoptive parents or adoptee."

32 **SECTION 2.**

33 All laws and parts of laws in conflict with this Act are repealed.