

1 STATE OF OKLAHOMA

2 1st Session of the 54th Legislature (2013)

3 COMMITTEE SUBSTITUTE

4 FOR

5 HOUSE BILL NO. 1118

6 By: Rousselot

7 COMMITTEE SUBSTITUTE

8 An Act relating to birth and adoption records;
9 creating the Oklahoma Truth in Adoption Act; amending
10 63 O.S. 2011, Section 1-323, which relates to the
11 confidentiality of vital records; requiring the
12 issuance of certain birth certificates; specifying
13 requirements and costs; providing for filing of
14 contact preference forms; specifying contents of
15 contact preference form; specifying requirements;
16 directing Registrar to match contact preference form
17 to original birth certificates of adopted persons;
18 directing Registrar to make social and medical
19 histories available to certain persons; providing for
20 noncodification; and providing an effective date.

21 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

22 SECTION 1. NEW LAW A new section of law not to be
23 codified in the Oklahoma Statutes reads as follows:

24 This act shall be known and may be cited as the "Oklahoma Truth
in Adoption Act".

SECTION 2. AMENDATORY 63 O.S. 2011, Section 1-323, is
amended to read as follows:

1 Section 1-323. A. To protect the integrity of vital statistics
2 records, to insure their proper use, and to insure the efficient and
3 proper administration of the vital statistics system, it shall be
4 unlawful for any person to permit inspection of, or to disclose
5 information contained in, vital statistics records, or to copy or
6 issue a copy of all or part of any such record except to the person
7 who is the subject of the record or in such person's interest unless
8 ordered to do so by a court of competent jurisdiction. Certified
9 copies of birth certificates and death certificates shall be
10 provided without cost and without a court order to the Attorney
11 General or to any district attorney upon request in the course of a
12 criminal investigation.

13 B. The State Commissioner of Health may authorize the
14 disclosure of data contained in vital statistics records for public
15 health surveillance or research purposes.

16 C. 1. Effective July 1, 2014, upon written application by an
17 adult adopted person or a descendant of an adopted person who was
18 born in this state and whose birth certificate has been revised due
19 to an adoption, the Registrar of Vital Statistics shall issue to the
20 applicant a noncertified copy of the original birth certificate of
21 the adopted person, subject to all requirements and costs imposed
22 upon any request for a birth certificate. The Registrar shall
23 attach a copy of the contact preference form if the biological
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1 parent has completed the form as provided in paragraphs 2 and 3 of
2 this subsection.

3 2. Effective January 1, 2014, a biological parent identified on
4 the original birth certificate of an adopted person may file a
5 contact preference form on which the biological parent may state a
6 preference regarding contact by the adult adopted person. The
7 Registrar shall provide the biological parent with an updated
8 medical and social history form, consistent with the requirements of
9 Section 7504-1.2 of Title 10 of the Oklahoma Statutes, to be
10 completed and returned with the completed contact preference form to
11 the Registrar.

12 3. The contact preference form shall provide the birth parent
13 with the following options from which the birth parent shall select
14 one:

15 a. I would like to be contacted. I have completed the
16 contact preference form and an updated medical and
17 social history and am filing them with the Registrar
18 of Vital Statistics,

19 b. I would prefer to be contacted only through an
20 intermediary. I have completed the contact preference
21 form and an updated medical and social history and am
22 filing them with the Registrar of Vital Statistics, or

23 c. I would prefer not to be contacted at this time. I
24 have completed the contact preference form and an

1 updated medical and social history and am filing them
2 with the Registrar of Vital Statistics.

3 4. When the Registrar receives a completed contact preference
4 form and a completed medical and social history from a birth parent,
5 the Registrar shall match the contact preference form with the
6 original birth certificate. The Registrar shall make the medical
7 and social history available to the adult adopted person as provided
8 in Section 7504-1.2 of Title 10 of the Oklahoma Statutes.

9 D. The State Department of Health shall transmit to the
10 Department of Public Safety:

11 1. At the end of each quarter year, a list of all registered
12 deaths which have occurred during such period of time. Upon receipt
13 of such list the Department of Public Safety shall use such list
14 solely to update Department of Public Safety records and to cancel
15 the driver license for those deceased individuals with a valid
16 Oklahoma driver license at the time of death;

17 2. At the end of each month, a report of all registered deaths
18 that resulted from a motor vehicle collision which have occurred
19 during such period of time. The report shall be used by the
20 Department solely for the purpose of statistical analysis and
21 reporting; and

22 3. Upon written request from the Department, a death
23 certificate. The certificate shall be used solely by the Fatality
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1 Analysis Reporting System (FARS) Analyst of the Oklahoma Highway
2 Safety Office to populate the federal FARS database.

3 ~~D.~~ E. Each month, the Commissioner shall authorize the
4 transmission to the Oklahoma Health Care Authority of a certified
5 list of all registered deaths of residents of this state that have
6 occurred within the state for the immediately preceding month. The
7 Oklahoma Health Care Authority shall use the transmitted list to
8 ascertain the names of those individuals participating in the state
9 Medicaid program who are deceased, and shall thereafter terminate
10 such deceased person's enrollment in the state Medicaid program.

11 ~~E.~~ F. For the purpose of assisting in the location and recovery
12 of missing children, information pertaining to birth certificates
13 and requests for copies of birth certificates shall be provided to
14 the Oklahoma State Bureau of Investigation pursuant to the
15 provisions of Section 1-323.1 of this title and Section 150.12A of
16 Title 74 of the Oklahoma Statutes.

17 ~~F.~~ G. The Commissioner shall authorize the transmission of
18 death certificates to the Department of Labor for the purpose of the
19 Department of Labor conducting a census of total occupational
20 injuries and illnesses. The Department shall transmit to the
21 Department of Labor statistics of fatal occupational injuries that
22 shall include the following:

- 23 1. Name of the deceased;
- 24 2. Date of death;

- 1 3. Sex;
- 2 4. Race;
- 3 5. Age;
- 4 6. Birth date;
- 5 7. Social security number;
- 6 8. Whether an autopsy was conducted;
- 7 9. Month of the accident; and
- 8 10. Whether decedent was of Hispanic origin.

9 H. The Department of Labor shall be required to protect the
10 integrity of the vital statistics records to the same extent
11 required of the Department pursuant to this section.

12 SECTION 3. This act shall become effective November 1, 2013.

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