

JAY INSLEE
Governor



STATE OF WASHINGTON
OFFICE OF THE GOVERNOR

P.O. Box 40002 • Olympia, Washington 98504-0002 • (360) 902-4111 • www.governor.wa.gov

**DIRECTIVE OF THE GOVERNOR
13-08**

May 21, 2013

To: Washington State Department of Health
From: Jay Inslee, Governor
Subject: Implementation of Substitute House Bill 1525

In general, all records of court proceedings relating to adoptions are sealed and all files relating to adoptions are confidential and may not be disclosed, except by court order or through a confidential intermediary process.

The passage of Substitute House Bill (SHB) 1525 presents adult adoptees with the opportunity to access a noncertified copy of their original birth certificate, for adoptions finalized prior to October 1, 1993, provided that the birth parent has not filed an affidavit of nondisclosure or contact preference form stipulating the conditions of release. For adoptions finalized after October 1, 1993, current law dictates that the Department of Health must provide a noncertified copy of the original birth certificate, subject to the same limitations of an affidavit of nondisclosure.

With passage of SHB 1525, the Legislature stipulated that adoptees would be able to access original birth certificates beginning June 30, 2014. In allowing for delayed implementation, the Legislature provided time for the Department of Health to conceive methods of implementation that would balance the interests of adult adoptees, who seek access to their original birth certificates, with the interests of birth parents, who, at the time that adoptions were finalized, would reasonably expect their identifying information would remain confidential. Providing adequate notice of the change in state law and conducting public outreach are necessary tenets of implementation.

To further these goals, I am directing Department of Health to develop an implementation plan that will outline options for implementation of the bill, with specific regard to the interests of adult adoptees and birth parents. The plan shall include:

Directive by the Governor 13-08

May 21, 2013

Page 2

- Options for the Department of Health to contact the birth parent(s), in an effort to protect confidentiality, when an adoptee has requested his or her original birth certificate and has indicated that he or she plans to contact the birth parent(s);
- Estimates regarding the potential fiscal impacts of the various implementation options;
- Suggestions for any statutory changes necessary to implement the options; and
- A discussion of potential legal and/or liability concerns.

The implementation plan must be submitted to my office no later than November 30, 2013.