
By: **Delegates Turner and Montague**
Introduced and read first time: January 29, 2001
Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Adoption Search, Contact, and Reunion Services - Access to Records by**
3 **Confidential Intermediary**

4 FOR the purpose of authorizing a designee of the Director of the Social Services
5 Administration to authorize a confidential intermediary providing adoption
6 search, contact, and reunion services to obtain certain information contained in
7 certain records; authorizing a designee of the Director to sign certain written
8 statements authorizing a confidential intermediary to obtain certain
9 information contained in certain records; and generally relating to adoption
10 search, contact, and reunion services.

11 BY repealing and reenacting, with amendments,
12 Article - Family Law
13 Section 5-4B-06
14 Annotated Code of Maryland
15 (1999 Replacement Volume and 2000 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
17 MARYLAND, That the Laws of Maryland read as follows:

18 **Article - Family Law**

19 5-4B-06.

20 (a) The Director OR THE DIRECTOR'S DESIGNEE may authorize a confidential
21 intermediary to obtain information described in subsection (b) or (c) of this section to
22 locate an individual sought by an applicant.

23 (b) (1) Subject to paragraph (2) of this subsection, a confidential
24 intermediary may apply to the Secretary of Health and Mental Hygiene for a copy of
25 the following:

26 (i) the original certificate of birth and any records that relate to
27 the new certificate of birth of an adopted individual;

1 (ii) the new certificate of birth that was substituted for the original
2 certificate of birth of an adopted individual under § 4-211 of the Health - General
3 Article; and

4 (iii) the report of the decree or judgment of adoption filed by the
5 clerk of the court under § 4-211 of the Health - General Article.

6 (2) To apply for a copy of a record listed in paragraph (1) of this
7 subsection, a confidential intermediary shall submit to the Secretary of Health and
8 Mental Hygiene a written statement signed by the Director OR THE DIRECTOR'S
9 DESIGNEE and witnessed by a notary public that authorizes the confidential
10 intermediary to obtain information necessary to locate an individual sought by an
11 applicant.

12 (3) If a confidential intermediary complies with paragraph (2) of this
13 subsection, the Secretary of Health and Mental Hygiene shall give a copy of a record
14 requested under this subsection that is on file with the Secretary to the confidential
15 intermediary.

16 (c) (1) Subject to paragraph (2) of this subsection, a confidential
17 intermediary may access any information that is contained in a public record, as
18 defined in § 10-611 of the State Government Article, including a court record.

19 (2) To have access to information contained in a public record, a
20 confidential intermediary shall submit to the custodian of a public record a written
21 statement signed by the Director OR THE DIRECTOR'S DESIGNEE and witnessed by a
22 notary public that authorizes the confidential intermediary to obtain information
23 necessary to locate an individual sought by an applicant.

24 (3) If a confidential intermediary complies with paragraph (2) of this
25 subsection, a custodian shall permit inspection of a public record requested under this
26 subsection by the confidential intermediary.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 October 1, 2001.