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

Committee Report: Favorable with amendments
House action: Adopted
Read second time: February 20, 2001

CHAPTER _____

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~~ the Adoption Program Manager of the Department of Human
6 Resources to authorize a confidential intermediary providing adoption search,
7 contact, and reunion services to obtain certain information contained in certain
8 records; authorizing ~~a designee of the Director~~ the Adoption Program Manager
9 of the Department of Human Resources to sign certain written statements
10 authorizing a confidential intermediary to obtain certain information contained
11 in certain records; and generally relating to adoption search, contact, and
12 reunion services.

13 BY repealing and reenacting, with amendments,
14 Article - Family Law
15 Section 5-4B-06
16 Annotated Code of Maryland
17 (1999 Replacement Volume and 2000 Supplement)

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

20 **Article - Family Law**

21 5-4B-06.

22 (a) The Director OR THE ~~DIRECTOR'S DESIGNEE~~ ADOPTION PROGRAM
23 MANAGER OF THE DEPARTMENT may authorize a confidential intermediary to obtain

1 information described in subsection (b) or (c) of this section to locate an individual
2 sought by an applicant.

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

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

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

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

13 (2) To apply for a copy of a record listed in paragraph (1) of this
14 subsection, a confidential intermediary shall submit to the Secretary of Health and
15 Mental Hygiene a written statement signed by the Director OR THE ~~DIRECTOR'S~~
16 ~~DESIGNEE~~ ADOPTION PROGRAM MANAGER OF THE DEPARTMENT and witnessed by a
17 notary public that authorizes the confidential intermediary to obtain information
18 necessary to locate an individual sought by an applicant.

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

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

26 (2) To have access to information contained in a public record, a
27 confidential intermediary shall submit to the custodian of a public record a written
28 statement signed by the Director OR THE ~~DIRECTOR'S DESIGNEE~~ ADOPTION
29 PROGRAM MANAGER OF THE DEPARTMENT and witnessed by a notary public that
30 authorizes the confidential intermediary to obtain information necessary to locate an
31 individual sought by an applicant.

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

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

