

Testimony on House Bill 2617

House Committee of Health and Human Services

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Kansas Department of Health and Environment

February 14, 2022

Chairwoman Landwehr and members of the committee, I am Kay Haug, State Registrar for Vital Statistics and Director of the Bureau of Epidemiology and Public Health Informatics for the Kansas Department of Health and Environment (KDHE). Thank you for the opportunity to provide neutral, written testimony for House Bill 2617.

HB 2617 amends K.S.A. 65-2422d by allowing an adopted individual to obtain birth, marriage, divorce, stillbirth and death certificates on deceased biological immediate family members. It also establishes a process for all individuals to inspect vital records of immediate family members who are deceased. Current law allows all individuals including adopted individuals 18 and older to obtain legal records of deceased immediate family members and legal records from after the adoption, but not those family members whose legal ties are severed unless the adoptee can show a direct interest to an individual listed on the record. Currently any individual can obtain a legal record if a direct interest can be established by producing documents such as an estate settlement, car titles, life insurance policy, bank accounts, etc.

This statute change will affect the confidentiality of immediate biological family members from before the adoption. Our current statute allows an 18-year-old adoptee to obtain their own biological birth record that lists the mother and father. By allowing an adoptee to obtain birth, death, stillbirth, marriage and divorce records from before the adoption, this will allow them to initiate possible unwanted contact with these immediate biological family members. Currently adoptees that want more biological family information are referred to DCF or the adoption agency that handled the case, so that agency can act as a mediator between the adoptee and the immediate biological family members. Allowing these vital records to be released when a direct interest has not been established could create privacy issues and possible fraud concerns. In addition, vital records that are sealed or suppressed by coroners, courts, law enforcement to prevent an individual from gaining access to confidential information in criminal cases, adoption/surrogate cases or causing harm to another individual may need addressed in the bill language to ensure those records are not inspected by this law change.

It is also assumed HB 2617 intends for individuals to inspect records by visiting the vital statistics office in Topeka, KS. To comply with this proposed statute a designated area would need established where individuals could inspect these documents. Software that allows only a specific vital record to be available for inspection would need developed. It is assumed additional headcount would be needed to support this new process and a reduction in certificate orders is anticipated. A fraction of the money collected on specific certificates is distributed to the family and children

investment fund and the child/coroner's autopsy fund. These two groups would be impacted financially by decreased certificate orders. This loss of revenue could result in a need for a fee increase for the cost the public pays to obtain certified vital records.

Thank you for the opportunity to provide these written comments.