



HOUSE BILL No. 4612

March 16, 1995, Introduced by Reps. Nye and Gubow and referred to the Committee on Judiciary and Civil Rights.

A bill to amend section 14d of Act No. 116 of the Public Acts of 1973, entitled as amended

"An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of the department of social services and adoption facilitators; to provide penalties; and to repeal certain acts and parts of acts,"

as added by Act No. 209 of the Public Acts of 1994, being section 722.124d of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 14d of Act No. 116 of the Public Acts of
2 1973, as added by Act No. 209 of the Public Acts of 1994, being
3 section 722.124d of the Michigan Compiled Laws, is amended to
4 read as follows:

1 Sec. 14d. (1) The department shall develop a public
2 information form for the reporting of the following
3 nonconfidential information:

4 (a) The name and address of the primary adoption
5 facilitator.

6 (b) The type of adoption, as follows:

7 (i) Direct placement or agency placement.

8 (ii) Intrastate, interstate, or intercountry.

9 ~~(c) The dates of the following actions related to the~~
10 ~~adoption:~~

11 ~~(i) The first contact of the birth parent with the primary~~
12 ~~adoption facilitator.~~

13 ~~(ii) The first contact of the adoptive parent with the pri-~~
14 ~~mary adoption facilitator.~~

15 ~~(iii) The temporary placement if applicable.~~

16 ~~(iv) The formal placement.~~

17 ~~(v) The order of the court finalizing the adoption.~~

18 (C) ~~(d)~~ The name of the agency and individual who per-
19 formed the preplacement assessment or the investigation required
20 under section 46 of the adoption code, being section 710.46 of
21 the Michigan Compiled Laws, and the cost of the assessment or
22 investigation.

23 (D) ~~(e)~~ The name of each individual who performed counsel-
24 ing services for a biological parent, the individual's agency
25 affiliation, if any, the number of hours of counseling performed,
26 and the cost of that counseling.

1 (E) ~~(f)~~ The name of each individual who performed
2 counseling services for an adoptive parent, the individual's
3 agency affiliation, if any, the number of hours of counseling
4 performed, and the cost of that counseling.

5 (F) ~~(g)~~ The total amount paid by an adoptive parent for
6 hospital, nursing, or pharmaceutical expenses incurred by a bio-
7 logical parent or the adoptee in connection with the birth or any
8 illness of the adoptee.

9 (G) ~~(h)~~ The total amount paid by an adoptive parent for a
10 biological ~~parent's~~ MOTHER'S living expenses.

11 (H) ~~(i)~~ The name of any attorney representing an adoptive
12 parent, the number of hours of service performed in connection
13 with the adoption, and the total cost of the attorney's services
14 performed for the adoptive parent.

15 (I) ~~(j)~~ The name of any attorney representing a biological
16 parent, the number of hours of service performed in connection
17 with the adoption, and the total cost of the attorney's services
18 performed for the biological parent.

19 (J) ~~(k)~~ The name of any agency assisting a biological
20 parent or adoptive parent, and the cost of all services provided
21 by the agency other than services specifically described in sub-
22 divisions ~~(d), (e), and (f)~~ (C), (D), AND (E).

23 (K) ~~(l)~~ The total amount paid by an adoptive parent for a
24 biological parent's travel expenses.

25 ~~(m) Any other expense approved by the court under section~~
26 ~~54 of the adoption code, being section 710.54 of the Michigan~~
27 ~~Compiled Laws.~~

1 (l) ~~(n)~~ Any fees or expenses sought but disallowed by the
2 court.

3 (M) ~~(o)~~ The total amount of all expenses connected with
4 the adoption that were paid for by the adoptive parent.

5 (N) ~~(p)~~ An explanation of any special circumstances that
6 made costs of the adoption higher than would normally be
7 expected.

8 (2) The public information form prescribed by subsection (1)
9 shall contain a detachable section for the reporting of all of
10 the following confidential information:

11 (a) The age, sex, and race of each biological parent.

12 (b) The age, sex, and race of the adoptee.

13 (c) The name, age, sex, and race of each adoptive parent.

14 (d) The county in which the final order of adoption was
15 entered.

16 (e) The county, state, and country of origin of the
17 adoptee.

18 (f) The legal residence of biological parents.

19 (g) The legal residence of adoptive parents.

20 (n) The ~~date the adoption order was entered.~~ DATES OF THE
21 FOLLOWING ACTIONS RELATED TO THE ADOPTION:

22 (i) THE FIRST CONTACT OF THE BIRTH PARENT WITH THE PRIMARY
23 ADOPTION FACILITATOR.

24 (ii) THE FIRST CONTACT OF THE ADOPTIVE PARENT WITH THE PRI-
25 MARY ADOPTION FACILITATOR.

26 (iii) THE TEMPORARY PLACEMENT, IF APPLICABLE.

1 (*iv*) THE ORDER OF THE COURT FINALIZING THE ADOPTION.

2 (3) The department of social services shall distribute blank
3 public information forms to adoption facilitators, courts, and
4 other interested individuals and organizations.

5 (4) Beginning on the effective date of section 14c, the
6 department of social services shall accept from the probate court
7 of each county and maintain in a central clearinghouse completed
8 public information forms for each adoption completed in this
9 state. Upon the request of an individual seeking information
10 about adoption facilitators serving a particular county or coun-
11 ties, the department shall send the individual a list of all
12 adoption facilitators serving that county or those counties, the
13 number of adoptions each person facilitated in the county or
14 counties during the preceding 12 months, and the fees the depart-
15 ment charges for transmitting copies of public information
16 forms. Upon the individual's request for public information
17 forms for a particular adoption facilitator or facilitators and
18 payment of the required fees, the department shall send the indi-
19 vidual copies of the nonconfidential portions of the public
20 information forms completed by that adoption facilitator or those
21 adoption facilitators during the preceding 12 months. If the
22 number of adoptions facilitated by a particular adoption facili-
23 tator in a particular county or counties is insufficient to pro-
24 tect the confidentiality of the participants in an adoption, the
25 department shall send the nonconfidential portions of additional
26 public information forms for adoptions facilitated by that
27 adoption facilitator in earlier years or in other counties. The

1 additional forms required to protect confidentiality shall be
2 sent without charge to the individual requesting the
3 information.

4 (5) If the department receives public information forms com-
5 pleted by a probate register containing only the primary adoption
6 facilitator's name and confidential information, the department
7 shall send the nonconfidential portion of those public informa-
8 tion forms completed by the probate register in response to an
9 individual's request for public information forms for that adop-
10 tion facilitator.

11 (6) The department may charge a fee for transmitting public
12 information forms to individuals requesting them. The fee shall
13 be sufficient to reimburse the department for the costs of copy-
14 ing, postage or facsimile, and labor.