

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1102 Session of
2007

INTRODUCED BY GRUCELA, DERMODY, FREEMAN, FABRIZIO, COX, DALLY,
DENLINGER, CAPPELLI, CLYMER, HARRIS, HENNESSEY, JAMES,
JOSEPHS, W. KELLER, KORTZ, R. MILLER, MURT, PARKER, PETRI,
PETRONE, SCAVELLO, SOLOBAY, STERN, WOJNAROSKI AND YOUNGBLOOD,
APRIL 18, 2007

REFERRED TO COMMITTEE ON JUDICIARY, APRIL 18, 2007

AN ACT

1 Amending Title 23 (Domestic Relations) of the Pennsylvania
2 Consolidated Statutes, further providing for contents of
3 petitions for adoption; and providing for adoption
4 statistics.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Section 2701 of Title 23 of the Pennsylvania
8 Consolidated Statutes is amended by adding a paragraph to read:

9 § 2701. Contents of petition for adoption.

10 A petition for adoption shall set forth:

11 * * *

12 (10) A statement that the adoption data form under
13 section 2911(d) (relating to adoption statistics) has been
14 completed to the fullest extent possible.

15 Section 2. Title 23 is amended by adding a section to read:

16 § 2911. Adoption statistics.

17 (a) Data collection and reporting.--In order to develop more

reliable Statewide and county data on adoptions and adoption practices and to improve the analysis of trends and issues in adoptions, the Department of Health shall provide for Statewide collection and reporting of nonidentifying, statistical information regarding adoptions.

(b) Data.--On a monthly basis, the clerk of court, in cooperation with the agency or intermediary that facilitated the adoption or, if there is no agency or intermediary, with counsel for the adoptive parent, shall forward to the Department of Health the following:

(1) A completed form under subsection (d) for each adoption finalized by the court during the reporting period.

(2) The total number of adoption decrees during the reporting period.

(c) Cooperation.--It is the responsibility of the agency or intermediary that facilitated the adoption or, if there is no agency or intermediary, of counsel for the adoptive parent to cooperate to the fullest extent possible in completing the form under subsection (d) providing the court any information concerning the adoption which is requested by the Department of Health.

(d) Forms.--The Department of Health shall develop an adoption data form and distribute the form to each court of common pleas. In developing the form and procedures relating to the form, the Department of Health shall request assistance and comments from clerks of court or an association which represents their interests, the Administrative Office of Pennsylvania Courts and the Department of Public Welfare. The form shall include the following nonidentifying information:

(1) The age and race of the adoptee, birth parents and

adoptive parents.

(2) The gender of the adoptee.

(3) Any relationship between the adoptee and an adoptive parent.

(4) Whether the parental rights of each birth parent were terminated pursuant to a voluntary relinquishment, an involuntary termination or a consent to an adoption.

(5) Whether an adoption agency arranged for the adoption.

(6) The time the adoptee was in the custody of an agency or in private placement.

(7) The date of the adoption decree.

(8) Whether the adoptee received adoption assistance.

(9) Any other information deemed necessary by the Department of Health based on public input and in consultation with the Administrative Office of Pennsylvania Courts and the Department of Public Welfare.

(e) Confidentiality.--To assure that the identity of the adoptee, birth parents and adoptive parents is not disclosed in carrying out this section, the completed data form shall be made available only to the clerk of court and the Department of Health. Unauthorized disclosure of the completed data form shall be subject to section 2910 (relating to penalty for unauthorized disclosure). The release of nonidentifying statistical information contained in the report under subsection (f) shall not constitute unauthorized disclosure under this subsection.

(f) Report.--No later than May 1 of each year, the Department of Health shall submit to the Governor, the Secretary of the Senate, the Chief Clerk of the House of Representatives and the Administrative Office of Pennsylvania Courts a report on

1 statistical information received under subsection (b). The
2 report shall be made on a Statewide and county-by-county basis.
3 The report shall include any analysis of the data or
4 recommendations which the Department of Health deems
5 appropriate.

6 Section 3. This act shall take effect in 180 days.