

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,
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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

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

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

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

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

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

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

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

1 adoptive parents.

2 (2) The gender of the adoptee.

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

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

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

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

12 (7) The date of the adoption decree.

13 (8) Whether the adoptee received adoption assistance.

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

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

27 (f) Report.--No later than May 1 of each year, the
28 Department of Health shall submit to the Governor, the Secretary
29 of the Senate, the Chief Clerk of the House of Representatives
30 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.