

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

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# HOUSE BILL

## No. 1081

Session of  
1993

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INTRODUCED BY SATHER, KUKOVICH, NICKOL, TIGUE, BELFANTI, HESS,  
DEMPSEY, CARONE, TRELLO, MILLER, HECKLER, PETTIT, FARMER,  
KENNEY, STERN, HASAY, YANDRISEVITS, RAYMOND, HUTCHINSON,  
CURRY, CLARK, FLICK, GERLACH AND GEIST, APRIL 19, 1993

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AS REPORTED FROM COMMITTEE ON AGING AND YOUTH, HOUSE OF  
REPRESENTATIVES, AS AMENDED, SEPTEMBER 27, 1994

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## AN ACT

1 Amending Title 23 (Domestic Relations) of the Pennsylvania  
2 Consolidated Statutes, further providing for medical history  
3 information.

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

6 ~~Section 1. Section 2909(a) of Title 23 of the Pennsylvania~~ <—  
7 ~~Consolidated Statutes is amended to read:~~

8 ~~§ 2909. Medical history information.~~

9 ~~(a) Delivery of information. Medical history information,~~  
10 ~~including that information about the natural parents which may~~  
11 ~~be relevant to any potential hereditary or congenital medical~~  
12 ~~problem, whether or not that condition is in existence or~~  
13 ~~discoverable at the time of the adoption, shall, where~~  
14 ~~practicable, be delivered by the attending physician or other~~  
15 ~~designated person to the intermediary who shall deliver such~~  
16 ~~information to the adopting parents or their physician. In cases~~  
17 ~~where there is no intermediary, medical history information~~

1 ~~shall be delivered directly to the adopting parents or their~~  
2 ~~physician.~~

3 \* \* \*

4 SECTION 1. THE DEFINITION OF "MEDICAL HISTORY INFORMATION" <—  
5 IN SECTION 2102 OF TITLE 23 OF THE PENNSYLVANIA CONSOLIDATED  
6 STATUTES IS AMENDED TO READ:

7 § 2102. DEFINITIONS.

8 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS PART SHALL  
9 HAVE, UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE, THE  
10 MEANINGS GIVEN TO THEM IN THIS SECTION:

11 \* \* \*

12 "MEDICAL HISTORY INFORMATION." MEDICAL RECORDS AND OTHER  
13 INFORMATION CONCERNING AN ADOPTEE OR AN ADOPTEE'S NATURAL FAMILY  
14 WHICH IS RELEVANT TO THE ADOPTEE'S PRESENT OR FUTURE HEALTH CARE  
15 OR MEDICAL TREATMENT. THE TERM INCLUDES:

16 (1) OTHERWISE CONFIDENTIAL OR PRIVILEGED INFORMATION  
17 PROVIDED THAT IDENTIFYING CONTENTS HAVE BEEN REMOVED PURSUANT  
18 TO SECTION 2909 (RELATING TO MEDICAL HISTORY INFORMATION)[.];  
19 AND

20 (2) INFORMATION ABOUT THE NATURAL PARENTS WHICH MAY BE  
21 RELEVANT TO A POTENTIAL HEREDITARY OR CONGENITAL MEDICAL  
22 PROBLEM, WHETHER OR NOT THE PROBLEM IS IN EXISTENCE OR  
23 DISCOVERABLE AT THE TIME OF THE ADOPTION.

24 \* \* \*

25 SECTION 2. SECTION 2909(B) AND (C) OF TITLE 23 ARE AMENDED  
26 AND THE SECTION IS AMENDED BY ADDING A SUBSECTION TO READ:  
27 § 2909. MEDICAL HISTORY INFORMATION.

28 \* \* \*

29 (A.1) REGISTRATION AND UPDATING.--THE DEPARTMENT OF HEALTH  
30 SHALL, UPON REQUEST, MAKE AVAILABLE TO COURTS, ADOPTION AGENCIES

1 AND INDIVIDUALS FORMS THAT ENABLE PARENTS WHOSE RIGHTS HAVE BEEN  
2 TERMINATED TO REGISTER AND UPDATE MEDICAL HISTORY INFORMATION  
3 WITH THE DEPARTMENT AND WITH THE COURT WHICH ENTERED THE DECREE  
4 OF TERMINATION.

5 (B) EDITING OF INFORMATION.--[IN ALL CASES] EXCEPT AS  
6 PROVIDED IN SECTION 2905 (RELATING TO IMPOUNDING OF PROCEEDINGS  
7 AND ACCESS TO RECORDS), MEDICAL HISTORY INFORMATION SHALL BE  
8 EDITED BEFORE DELIVERY OR RELEASE BY THE DEPARTMENT SO AS TO  
9 REMOVE ANY CONTENTS WHICH WOULD IDENTIFY THE ADOPTEE'S NATURAL  
10 FAMILY.

11 (C) REGULATIONS.--THE [PENNSYLVANIA DEPARTMENT OF HEALTH]  
12 DEPARTMENT SHALL IMPLEMENT THE PROVISIONS OF THIS SECTION BY  
13 REGULATION.

14 Section ~~2~~ 3. This act shall take effect in 60 days.

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