

Amber Burke

From: Maxine Grad
Sent: Tuesday, March 8, 2022 7:00 PM
To: Englander, David
Cc: Michele Childs; Amber Burke; Tom Burditt; Kevin Christie
Subject: Re: Birth records

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David,

Please join my committee at 9 AM tomorrow (Wednesday) so we can get the information on the record and get it right. I am getting different information from DCF and DOH regarding what is required for an adoptee to get their original birth certificate. I understand you have declined invitations to testify on this bill stating there will not be any change. However, it is critical that my committee understand the current process and implications of any policy changes.

I look forward to seeing you or a member of your team at 9 AM Wednesday.

Regards,

Maxine

Maxine Grad, Chair
House Committee on Judiciary
Vermont General Assembly
802-552-8065

From: Englander, David <David.Englander@vermont.gov>
Sent: Tuesday, March 8, 2022 5:12 PM
To: Maxine Grad <Mgrad@leg.state.vt.us>
Cc: Michele Childs <MCHILDS@leg.state.vt.us>
Subject: Re: Birth records

Madame Chair:

The original name of the adoptee on the birth certificate, whatever that name may be.

As noted below, there isn't necessarily a tie between the original and the amended birth certificate. And the amended birth certificate - correctly - does not identify it as such. If I walked into the Office with my birth certificate and said I would like my original birth certificate, but I do not have my original name, there would be nothing with which to search.

Tomorrow I can ask staff how they might advise/assist folks in such a situation.

Best,
David

David C. Englander ([he/him](#))
Senior Policy and Legal Advisor – Department of Health
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From: Maxine Grad <Mgrad@leg.state.vt.us>
Sent: Tuesday, March 8, 2022 4:55 PM
To: Englander, David <David.Englander@vermont.gov>
Cc: Childs, Michele <mchilds@leg.state.vt.us>
Subject: Re: Birth records

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Hello,

Thanks so much for this information. Am I understanding your answer to the second to last question to be that adoptees need to provide the name of their genetic parent when you say original name, not the name of the adopting parent? So genetic parent name and date of birth? The amended birth certificate isn't enough?

Thank you,

Maxine

Maxine Grad, Chair
House Committee on Judiciary Vermont General Assembly
802-552-8065
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From: Englander, David <David.Englander@vermont.gov>
Sent: Tuesday, March 8, 2022 4:22 PM
To: Michele Childs
Cc: Maxine Grad; Tucker Anderson; Amber Burke
Subject: Re: Birth records

Madame Chair:

Below please find the answers to your questions.

What information is currently needed from an adopted person to receive their original birth certificate?

Vital Records Office needs authorization from the Adoption Registry or a court to release the original birth certificate and the date of birth and registrant's name on original birth certificate to find the original record.

If the Registry's requirements were amended, it would be a frictionless change for Vital Records.

Is there always an amended birth certificate linked with the original in the Department of Health's vital records database?

No. There are many different reasons, but the primary one being that we have switched from a manual/paper world, to a digital one. So, yes or no. In this case, no.

What would be required of an adopted person if the law is amended to repeal 15A § 6-105(b)?

The adoptee would need to provide their date of birth and name as given on the original birth certificate in order for VDH to find the record. Adoptees would need to include valid identification that reflects information on their current Vermont birth certificate so it is clear the request is coming from the adoptee.

In short, they would be treated like any other person seeking their birth certificate.

Does VDH have enough information to work directly with adoptees if the adoptee is only seeking access to their original birth certificate?

Yes.

Best,
David

David C. Englander ([he/him](#))
Senior Policy and Legal Advisor – Department of Health
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Good morning David,

I have a few more questions from Chairwoman Grad regarding access to original birth certificates. She would like to know what information is currently needed from an adopted person to receive their original birth certificate.

She would also like to know if there is always an amended birth certificate linked with the original in the Department of Health's vital records database. Lastly, what would be required of an adopted person if the law is amended to repeal 15A § 6-105(b)? The intent behind this proposal is to remove the barrier of the adopted person first having to go to the Registry to receive identifying information. Does VDH have enough information to work directly with adoptees if the adoptee is only seeking access to their original birth certificate?

*Thank you,
Amber*