



Ohio Revised Code

Section 3107.39 Access to adoption records definitions.

Effective: March 20, 2015

Legislation: Senate Bill 23

(A) The department of job and family services shall prescribe a contact preference form for biological parents. The form shall include all of the following:

(1) A component in which a biological parent is to indicate one of the following regarding a person who receives, under section 3107.38 of the Revised Code, a copy of the contents of the adoption file of the parent's offspring:

(a) That the biological parent welcomes the person to contact the parent directly;

(b) That the biological parent prefers that the person contact the parent through an intermediary who the parent specifies on the form;

(c) That the biological parent prefers that the person not contact the parent directly or through an intermediary.

(2) Provisions necessary for the department of health to be able to identify the adoption file of the adopted person to whom the form pertains;

(3) The following notices:

(a) If a social and medical history for the biological parent was not previously prepared or such a history was prepared but should be corrected or expanded, that the biological parent is encouraged to do the following as appropriate:

(i) Complete a social and medical history form in accordance with section 3107.091 or 3107.393 of the Revised Code;

(ii) Correct or expand the biological parent's social and medical history in accordance with division



(D) of section 3107.09 of the Revised Code.

(b) That a biological parent's preference regarding contact as indicated on a completed contact preference form is advisory only and therefore unenforceable;

(c) That the biological parent may change the parent's indicated preference regarding contact by filing a new contact preference form with the department of health.

(4) A space in which the biological parent indicates whether one or more of the following apply:

(a) The biological parent knows that a social and medical history was prepared for the biological parent pursuant to section 3107.09 of the Revised Code;

(b) The biological parent completed a social and medical history form in accordance with section 3107.091 or 3107.393 of the Revised Code;

(c) The biological parent corrected or expanded the biological parent's social and medical history in accordance with division (D) of section 3107.09 of the Revised Code.

(5) A notice of both of the following:

(a) That an adopted person may do either or both of the following:

(i) Inspect, pursuant to division (D) of section 3107.17 of the Revised Code, a social and medical history form of a biological parent of the adopted person maintained by the court that entered the interlocutory order or final decree of adoption regarding the adopted person;

(ii) Submit to that court, pursuant to division (E) of section 3107.17 of the Revised Code, a request for notification of a correction or expansion of a social and medical history of a biological parent of the adopted person.

(b) That an adopted person who does not know which court entered the interlocutory order or final decree of adoption regarding the adopted person may seek assistance from the department of health



in accordance with section 3107.171 of the Revised Code.

(B) The department of job and family services shall make the contact preference form prescribed under this section available to the department of health.

(C) The department of health shall make a contact preference form available to a biological parent on request. The department of health may accept a completed contact preference form from a biological parent only if the parent provides it two items of identification of the parent. If the department of health determines that it may accept a completed contact preference form, it shall accept the form. As soon as the department identifies the adoption file of the adopted person to whom the form pertains, it shall place the form in that file. If there is a previously completed contact preference form from the biological parent in the adopted person's adoption file, the department of health shall replace the parent's older form with the parent's new form.

(D) Subject to division (C) of this section, a biological parent may file a completed contact preference form with the department of health to change the parent's indicated preference regarding contact as many times as the parent wishes.