

Act 156 – Birth Heritage (BH)
Permitted Interaction Group (PIG)
Meeting #3 – 02/23/2023 – Notes

BH PIG Members Present –

Cheryl Andaya, Jeff Esmond, Lorrin Kim, Carol Lockwood, Laurel Johnston (reporter)

Meeting convened at 11:35 am and adjourned at 12:30 pm

Agenda

- A. Discussion of recent revisions to the 2017 Uniform Parentage Act as approved by the National Conference of Commissioners on Uniform State Laws
Approved amendments are to Article 9, Information about Donor

The BH PIG Members had previously reported further discussion about the sharing of donor identities to persons born through donors and/or surrogates. Following are the suggestions from previous BH PIG meeting, held on 11/21/2023.

- Consider statutory language requiring Department of Health to retain donor medical information and family history for individuals born through assistive reproductive technology and surrogacy (similar to adoptee health record retention)
- Consider statutory language granting individuals born through assistive reproductive technology and surrogacy access to Department of Health records upon request (similar to adoptee access to sealed adoption records)

B. BH PIG Members responded to the UPA approved amendments as follows:

- Approved amendments would only apply to donors and persons receiving donations who contract with practitioners and facilities licensed in Hawaii
- Persons seeking donations choose between donors who agree to be known and donors requesting anonymity; most donors choose anonymity
- Voluntary private registries are available to donor families to identify sibling groups from same donor and who are seeking more information about donor identities
- Direct to consumer DNA tests are allowing connections between donor families and their donors
- Counseling and parenting classes are important for persons creating families through donations, and for donors, to discuss potential future needs for both non-identifying and identifying information from donors
- Non-identifying information such as health and medical information should be collected and required to be shared with donor families

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- Public policy should be clear with bright lines about requirements to be applied consistently to all persons creating families through donations and the donors
- The proposed amendments align with current Hawaii adoption law allowing release of identifying information upon request to persons adopted in Hawaii when they achieve age 18 years