§ 4138-e. Adoptee's right to a certified copy of his or her birth certificate. 1. The legislature hereby states its intention to acknowledge, support and encourage the life-long health and well-being needs of persons who have been and will be adopted in this state. The legislature further recognizes that the denial of access to accurate and complete medical and self-identifying data of any adopted person, known and wilfully withheld by others, may result in such person succumbing to preventable disease, premature death or otherwise unhealthy life, is a violation of that person's human rights and is contrary to the tenets of government. As such, the provisions of this section seek to establish considerations under the law for adopted persons equal to such considerations permitted by law to all non-adopted persons; this section does so while providing for the privacy of an adopted person and his or her birth.

2. (a) Notwithstanding any other provision of law, the commissioner or a local registrar or any person authorized by the commissioner or a local registrar, upon application, proof of identity and payment of a nominal fee, shall issue certified copies of original long form line by line, vault copy birth certificates, including any change attached to that certificate by a birth parent or parents, and any information provided to the commissioner or a local registrar pursuant to subdivision one of section one hundred fourteen of the domestic relations law, to (i) an adopted person, if eighteen years of age or more, or (ii) if the adopted person is deceased, the adopted person's direct line descendants, or (iii) the lawful representatives of such adopted person, or lawful representatives of such deceased adopted person's direct line descendants, as the case may be.

(b) When it shall be impossible for the commissioner or a local registrar to provide a copy of an adult adopted person's original long form birth certificate (as may occur in the case of an adopted person born outside of, but adopted within, the state and such certificate is not part of the records of the commissioner or a local registrar), the true and correct information about the adopted person and the adopted person's birth parents, including their identifying information, that would have appeared on such original birth certificate shall be provided to: (i) the adopted person, if eighteen years of age or more, or (ii) if

the adopted person is deceased, the adopted person's direct line descendants, or (iii) the lawful representatives of such adopted person, or lawful representatives of such deceased adopted person's direct line descendants, as the case may be by any authorized agency as defined in paragraphs (a) and (b) of subdivision ten of section three hundred seventy-one of the social services law. In such case, the agency shall be held harmless from any liability arising out of the disclosure.

(c) For purposes of this subdivision, the term "commissioner" shall include the state commissioner of health, the commissioner of health and mental hygiene of the city of New York and for records of birth prior to January first, nineteen hundred fourteen, the local registrars of the cities of Albany, Buffalo and Yonkers.