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NEBRASKA DEPARTMENT OF  
HEALTH AND HUMAN SERVICES

174 NAC 6

TITLE 174 VITAL RECORDS

CHAPTER 6 RELEASE OF MEDICAL HISTORY, ORIGINAL BIRTH CERTIFICATE, AND  
RELATIVE'S INFORMATION FOLLOWING THE ADOPTION OF A  
NEBRASKA BORN PERSON

001. SCOPE AND AUTHORITY. These regulations implement the laws governing the release of information to a person who was adopted or for whom relinquishment or consents for adoption were given pursuant to Nebraska Revised Statutes (Neb. Rev. Stat.) §§ 43-121 to 43-146.17, the Nebraska Indian Child Welfare Act, and Neb. Rev. Stat. § 43-107.

002. REQUIREMENTS FOR ACCESS TO RECORDS ABOUT PERSONS ADOPTED OR FOR WHOM A RELINQUISHMENT OR CONSENT FOR ADOPTION WAS GIVEN PRIOR TO SEPTEMBER 1, 1988. To obtain access to names of relatives or his or her original certificate of birth for a person that was adopted or for whom a relinquishment or consent for adoption was given prior to September 1, 1988, the requester must meet the statutory requirements and must submit to the Department:

- (A) A request on a form provided by the Department;
- (B) Evidence of having attained at least the age of 25 years;
- (C) Evidence of having been born in the State of Nebraska; and
- (D) The required search fee as established in this chapter.

003. REQUIREMENTS FOR ACCESS TO RECORDS ABOUT PERSONS ADOPTED OR FOR WHOM A RELINQUISHMENT OR CONSENT FOR ADOPTION WAS GIVEN ON OR AFTER SEPTEMBER 1, 1988. To obtain access to the names of relatives or to his or her original birth certificate for a person that was adopted or for whom a relinquishment or consent for adoption was given on or after September 1, 1988, the requester must meet the statutory requirements and must submit to the Department:

- (A) A request on a form provided by the Department;
- (B) Evidence of having attained the age of 21 years;
- (C) Evidence of having been born in the State of Nebraska; and
- (D) The required search fee as established in this chapter.

004. REQUIREMENTS FOR ACCESS BY AN ADOPTED PERSON'S HEIR TO ORIGINAL INFORMATION ABOUT THE ADOPTED PERSON. To obtain access to an adopted person's original adoptive information the requester must meet the statutory requirements and must submit to the Department:

- (A) A request on a form provided by the Department;
- (B) Evidence that the requester is an heir of the adopted person;
- (C) Evidence of having attained the age of 21 years;
- (D) Evidence that the adopted person is deceased;

- (E) Evidence that the adopted person's biological parent(s) is or are deceased;
- (F) Evidence that the spouse(s) of the biological parent(s) is or are deceased; and
- (G) The required fee as established in this chapter.

005. REQUIREMENTS FOR ACCESS BY AN ADOPTED PERSON'S HEIR TO ORIGINAL INFORMATION ABOUT THE ADOPTED PERSON WHEN A 100 YEARS OR MORE HAS PASSED SINCE THE BIRTH OF THE ADOPTED PERSON. To obtain access to an adopted person's original adoptive information the requester must meet the statutory requirements and must submit to the Department:

- (A) A request on a form provided by the Department;
- (B) Evidence that the requester is an heir of the adopted person;
- (C) Evidence of having attained the age of 21 years; and
- (D) The required fee as established in this chapter.

006. SCHEDULE OF FEES. The following fees apply to this chapter:

- (A) For each search of the files the fee as provided in Neb. Rev. Stat. § 71-612;
- (B) For each certified copy of a birth certificate an additional fee of \$1; and
- (C) For each request by an heir of an adopted person for original birth information on the adopted person a fee of \$100. This fee includes review of the request, correspondence with the heir, and up to four hours of research to link documents. If more than four hours of research time is required, a fee of \$25 for each additional hour or partial hour will be charged.