



## TWO PARENTS: GIVE YOUR CHILD HOPE (Hospital Opportunity for Parentage Establishment)

### Voluntary Acknowledgment of Parentage – Terms and Forms

#### Key Terms

1. **Birth Parent** – The person who physically gave birth to the child.
2. **Parent** – The genetic parent (not the Birth Parent) or an intended parent of a child born through assisted reproduction (other than surrogacy).
3. **Spouse (Spouse or Former Spouse)** – A person married to or in a civil union with the Birth Parent when the child was born or within 300 days before the birth.

#### Key Forms

1. **Voluntary Acknowledgment of Parentage (VAP)** – Used by the Birth Parent and the Parent (genetic or intended) to establish parentage.
2. **Denial of Parentage (Denial)** – Used by the Birth Parent and a Spouse to establish that the Spouse is **not** the legal parent.
  - Must be signed by both the Birth Parent and Spouse.
  - Must be filed with a VAP signed by the Birth Parent and Parent (genetic or intended)
  - When both forms are filed, the Spouse is released from all parental rights and responsibilities, and the Parent (genetic or intended) becomes the legal parent.
3. **Rescission of VAP or Denial (Rescission)** – Used to withdraw a previously signed VAP or Denial (60-day time limit from the effective date of the VAP or Denial).
  - Either the Birth Parent or Parent (genetic or intended) can rescind a VAP.
  - Either the Birth Parent or Spouse can rescind a Denial.

#### Acronyms

- Voluntary Acknowledgment of Parentage (VAP)
- Denial of Parentage (Denial)
- Rescission of VAP or Denial (Rescission)
- Healthcare and Family Services (HFS)
- Administrative Coordination Unit (ACU)
- Child Support Services (CSS)

#### 1. What does acknowledge parentage mean?

Acknowledging parentage by VAP is a simple way to establish the legal relationship between a Parent (genetic or intended) and their child, allowing their name to be placed on the birth certificate, along with the Birth Parent, without going to court or opening a child support case with HFS. A valid VAP, filed with HFS, creates certain rights and responsibilities for the child and parents.

#### 2. Why is it important to acknowledge parentage?

- ✓ Ensure a child's right to a legal relationship with both parents.
- ✓ Add the Parent's name to the birth certificate.
- ✓ Protect the Parent's rights.
- ✓ Enable access to family medical information.
- ✓ Secure the child's benefits such as financial and medical support, social security, veteran's benefits, and inheritance.

#### 3. How can I acknowledge parentage at the hospital?

When the child is born, hospital staff will ask you for information to complete the child's birth certificate. They will provide and explain the VAP to both the Birth Parent and Parent (genetic or intended) so both may sign and have the form witnessed and filed with HFS. To hear your rights and responsibilities in English and Spanish, you may call 1-844-215-6576. A hospital staff person or other adult may serve as a witness when you sign the VAP. The form is a legal document and must be filled out accurately and filed with HFS. Hospital staff will mail the VAPs to HFS for filing. Any information you do not have or know should be completed with a dash or write in "Do Not Know."

#### 4. What if we did not sign the Voluntary Acknowledgment of Parentage form at the hospital?

If the Birth Parent and Parent (genetic or intended) did not sign the VAP while the Birth Parent and child were at the hospital, they may take the VAP, complete, sign, and file it with HFS later. The Birth Parent and Parent must sign the VAP in front of an adult witness (age 18 or older and not a person or child named on the form) and follow the instructions on the back of the VAP to file it with HFS.

You may also obtain a VAP from any state or local registrar, county clerk, Illinois Department of Human Services, WIC Food Centers, Illinois Department of Public Health, or Healthcare and Family Services Child Support Services at <https://hfs.illinois.gov/childsupport.html>.

**5. Will the Parent's (genetic or intended) name be on the birth certificate?**

If the VAP is completed at the hospital when the child is born, hospital staff will witness the document and add the Parent's (genetic or intended) name, along with the Birth Parent's name, to the birth certificate by electronic submission to the Illinois Department of Public Health, Division of Vital Records (IDPH). The hospital will send the official document to HFS for filing.

If the VAP is not completed at the hospital, each parent must sign and date the form in front of a witness (age 18 or older and not a person or child named on the form) and submit the completed, official document to HFS. HFS will notify IDPH to update the child's birth certificate with the Parent's (genetic or intended) name. A VAP is not valid until it has been received and filed with HFS, even if it was completed at the hospital.

**6. What if the Birth Parent is or was married or in a civil union but that person is not the Parent (genetic or intended) of the child?**

If the Birth Parent was married or in a civil union when the child was born (or within 300 days before the birth) and the Spouse is not the Parent (genetic or intended) of the child, the Birth Parent and Spouse must complete a Denial. A VAP must also be completed by the Birth Parent and Parent (genetic or intended). When the forms are signed and witnessed, the hospital staff will add the Parent's name to the birth certificate by electronic submission to the Department of Public Health, Division of Vital Records. If the Spouse does not sign a Denial, they are presumed to be the parent of the child, and their name will be placed on the birth certificate.

**7. What should we do if we are unsure about signing the VAP or Denial and want a genetic test?**

If you have any doubts about signing the VAP or Denial - especially if you wish to pursue genetic testing – you should not sign either document. Instead, you may seek additional information through the HFS, [CSS website](#) or pursue parentage through the court. For assistance with DNA testing and establishing parentage, contact the Department directly at 1-800-447-4278.

**8. What if someone changes their mind after signing a VAP or Denial?**

The parties may withdraw consent by completing a Rescission. The HFS 3416E Form Rescission of Illinois Voluntary Acknowledgment of Parentage or Rescission of Denial of Parentage, is on the CSS website. A Rescission must be received by HFS within 60 days from the date the VAP (or Denial) was filed with HFS. Only the parties that signed the form can rescind that form. Therefore, the Parent (genetic or intended) can only rescind the VAP, the Spouse can only rescind the Denial, and the Birth Parent can rescind either the VAP or Denial.

After the 60-day time frame to rescind the VAP has expired, a signed VAP may only be challenged in court on the basis of fraud, duress, or material mistake of fact and is generally only allowed within 2 years from the date the document was filed with HFS.

**9. Can a parent sign the Voluntary Acknowledgment of Parentage if they are under eighteen years old?**

Yes, minor parents can sign a VAP without their parents' permission.

**10. Does the Birth Parent, Parent (genetic or intended), or Spouse need to live in Illinois to acknowledge or deny parentage?**

No. The VAP or the Denial can be sent to the Birth Parent, Parent (genetic or intended), or Spouse to be signed. Both parties must sign the appropriate form(s) in front of an adult witness (age 18 or older and not a person or child named on the form) and follow the instructions on the back of the form to file it with HFS. Both parties must sign the same document.

**11. Should the Birth Parent and Parent (genetic or intended) sign the VAP if they are living together or plan to be married?**

Yes. The living arrangement of the unmarried parents does not establish parentage. Correctly completing, signing, and filing the VAP with HFS will establish legal parentage.

**12. What about custody, visitation, and child support?**

HFS, CSS cannot determine custody and visitation. Only the court can grant such requests. However, by signing the VAP the parents have established parentage and may ask the court to establish visitation or custody.

If the Birth Parent or Parent (genetic or intended) requests child support services from HFS, CSS will assist with establishing a child support and/or medical order. The Illinois mandatory child support guidelines require both parents' financial information to calculate the child support obligation. Either parent may be ordered to provide child support and/or medical coverage. However, only one parent will be ordered to pay child support to the other parent.

**NOTICE: THIS IS NOT AN OFFICIAL DOCUMENT STATING A PERSON'S INDIVIDUAL RIGHTS OR DUTIES UNDER THE LAW. STAFF AT HOSPITALS, DEPARTMENTS OF HEALTHCARE AND FAMILY SERVICES, HUMAN SERVICES, PUBLIC HEALTH, AND STATE AND LOCAL REGISTRARS, COUNTY CLERKS OR WIC FOOD CENTERS MAY ONLY PROVIDE INFORMATION. YOU MUST CONSULT AN ATTORNEY FOR LEGAL ADVICE. TO HEAR YOUR RIGHTS AND RESPONSIBILITIES IN ENGLISH OR SPANISH, CALL 1-844-215-6576.**

If you have questions regarding the VAP process or Child Support Services, please call the Child Support Customer Service Call Center at 1-800-447-4278. If you are using a teletypewriter (TTY), please call 1-800-526-5812.