

APA-1
4/18

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control 420 Alabama Department of Public Health

Rule Number 420-7-1-.24

Rule Title Format for Provision of Information from the System of Vital Records

New XXXX Amend Repeal Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare or safety? No

Is there a reasonable relationship between the state's police power and the protection of the public health, safety or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? No

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? No

Are all facts of the rulemaking process designed solely for the purpose of and so they have as their primary effect, the protection of the public? Yes

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? No

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of §41-22-23, Code of Alabama, 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama, 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of Certifying Officer



Date 8/18/22

REC'D & FILED

AUG 18 2022

LEGISLATIVE SVC AGENCY

**FORM APA2
10/17**

**STATE BOARD OF HEALTH
NOTICE OF INTENDED ACTION**

AGENCY NAME: Alabama Department of Public Health

RULE NUMBER AND TITLE: 420-7-1-.24, Format for Provision of Information from the System of Vital Records

INTENDED ACTION: To amend the current rule.

SUBSTANCE OF PROPOSED ACTION: To specify the basic guidelines under which the Center for Health Statistics can participate in electronic vital records verification systems, remove and replace outdated text, clarify existing text, and document the requirement for identification from applicants requesting evidentiary documents related to amended vital records.

TIME, PLACE, AND MANNER OF PRESENTING VIEWS: A public hearing will be held on September 15, 2022, at 9:00 a.m., at the RSA Tower, Suite 1540, 201 Monroe Street, Montgomery, AL 36104.

FINAL DATE FOR COMMENTS AND COMPLETION OF NOTICE: Written or oral comments will be received until the close of the record at 5:00 p.m. on October 5, 2022. All comments and requests for copies of the proposed amendments should be addressed to the contact person listed below.

CONTACT PERSON AT AGENCY: Nicole H. Rushing, Center for Health Statistics, Alabama Department of Public Health, P.O. Box 5625, Montgomery, Alabama 36103-5625, Telephone Number: (334) 206-2679.



P. Brian Hale, Agency Secretary

420-7-1-.24 Format for Provision of Information from the
System of Vital Records

(1) The State Registrar may provide information to government agencies for their official use in the form of electronic files of information. Information contained in the files may only be used by those agencies as specified in any agreement established with those agencies or as specified by law. Those agencies may not re-release the information to others unless the agreement specifically allows them to do so or they are required to do so by law.

(2) The State Registrar may establish or participate in a system to receive requests from and provide information to government agencies and other approved organizations through electronic media. Such ~~requests~~ systems must contain sufficient safeguards to ensure that they requests are from authorized individuals in the requesting government agency or other approved organization.

(3) Birth certificates filed with the Center for Health Statistics with the first and/or last names indicated to be unknown or left blank may not be issued as certified copies until the names are added to the record through the appropriate process specified elsewhere in these Rules. If the name has not been determined and if the record is needed for a legal purpose or by a government agency, an appropriate notice must be placed in the name field when certified copies are made. If the registrant has died without ever being named, an indication that the registrant was not named shall be placed in the name field prior to issuing any certified copy of the record.

(4) Birth certificates have been filed with the Center for Health Statistics in various formats since 1908. Some formats contained a section on the birth certificate that collected information for medical, statistical, and/or health use and clearly stated that the information was confidential and would not appear on certified copies of the birth record. Such confidential information shall be removed from the birth certificate and shall not appear on any certified copies of these birth certificates. However, that confidential information may be kept in a format designated by the State Registrar such that the information is available for statistical research and public health purposes only.

(5) Information related to vital records such as applications for copies of vital records, evidence used to amend vital records, and other documents related to vital records are considered confidential since they contain information used to identify particular vital records. However, if not elsewhere restricted by Code of Alabama 1975, and these Rules, copies of such documents may be released to government agencies if needed for official purposes.

(6) Certified copies of Acknowledgments of Paternity Affidavits required under Code of Alabama 1975, § 26-17-22, to be filed by the State Registrar may be issued in the same manner as certified copies of other vital records with the statement and seal of the State Registrar.

(7) If not elsewhere restricted by the Code of Alabama 1975, and these Rules, copies of documents used to amend vital records or to request other changes to vital records may be released to the registrant, or a parent or guardian of the registrant if the registrant is under 19 years of age, upon written application, valid identification, and payment of a fee required to search for the record. Such copies shall not contain any official certification of the State Registrar.

Author: Dorothy Harshbarger; Nicole Henderson Rushing
Statutory Authority: *Code of Alabama, 1975, §22-9A-2, §22-9A-21, §22-9A-22.*

History: Repealed and Replaced: Filed June 20, 2007; effective July 25, 2007. Amended: Filed XX-XX-XXXX; effective XX-XX-XXXX.