

DATE: October 14, 2009

TO: Washington State Board of Health Members

FROM: Dr. Patricia Ortiz, SBOH Member

SUBJECT: **WAC 246-491-039, BRIEFING ON PROPOSED CHANGES TO BIRTH CERTIFICATE INFORMATION REQUESTS**

Background and Summary:

RCW 70.58.055 requires birth certificates to include, at a minimum, items recommended by the federal agency responsible for national vital statistics. It also allows the State Board of Health to require additional information for the confidential section of the birth certificate and eliminate items not necessary for statistical study.

Chapter 246-491 WAC specifies the information collected on the confidential and public sections of live birth and fetal death certificates, prohibits public inspection of confidential information except with a court order, and defines fees for copies of vital records.

In 2009, Substitute House Bill 1510 was signed into law. This legislation grants an individual the ability to request some information about him/her contained in the confidential section of his/her birth certificate. The information shall not include information on the mother or father. The legislation further specifies that the identity of the individual who is the subject of the birth certificate should be confirmed in a manner approved by the Board of Health. This legislation expanded the Board's statutory authority related to RCW 70.58.055 by giving the Board authority to determine a method to confirm the identity of the requestor. In order to carry out the intent of the statute the Board will also need to identify the items in the confidential section of the birth certificate that pertain only to the individual, and not to the mother or father.

On August 20, 2009, the Board filed a CR-101 to open WAC 246-491-039 in response to the legislation. On September 10, the Department of Health (DOH) met with the Perinatal Advisory Committee to explain the proposed rule changes and to solicit feedback.

Today you will have an opportunity to learn more about the proposed revisions to the rule, the stakeholder process, and the next steps. Christie Spice, State Registrar and Director of the Center for Health Statistics at DOH, will brief the Board and answer your questions.

Recommended Board Action:

None.