

APA-1
6/93

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control 420 Department or Agency Alabama Department of Public Health

Rule Number 420-7-1-.03

Rule Title Certificates and Reports

New Amend Repeal Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare or safety? Yes

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? n/a

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 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 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 Reference Service.

Signature of Certifying Officer Patricia E. [Signature] Date 6/20/2013



FORM APA2
11/96

STATE BOARD OF HEALTH
NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Department of Public Health

RULE NUMBER AND TITLE: 420-7-1-.03


INTENDED ACTION: Amended Rule

SUBSTANCE OF PROPOSED ACTION: To require certain physicians, institutions, coroners, and funeral homes to electronically file records of certain vital events.

TIME, PLACE, AND MANNER OF PRESENTING VIEWS: A public hearing will be held at 9:00 a.m. on July 25, 2013, at 201 Monroe Street, RSA Tower, Suite 1540, 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 August 2, 2013. All comments and requests for copies of the proposed amendments should be addressed to the contact person listed below.

CONTACT PERSON AT AGENCY: Catherine Molchan Donald, Center for Health Statistics, Department of Public Health, 201 Monroe Street, Suite 1150, Montgomery, Alabama 36104. Telephone number (334) 206-5426.



Patricia E. Ivie, Agency Secretary

420-7-1-.03 Certificates and Reports

(1) Media for Filing Certificates and Reports.

(a) Unless this Chapter specifies the media for filing a certificate or report, information for certificates and reports of vital events required under Code of Alabama 1975, Title 22, Chapter 9A, including certifications and signatures, may be filed electronically or by other means. The media and format used for filing vital events information shall be prescribed by the State Registrar.

(b) All paper forms, computer software, or electronic media prescribed and distributed by the State Registrar for filing certificates and reports of vital events shall be used only for official purposes.

(c) No paper forms, computer software, or electronic media, except those furnished or approved by the State Registrar, shall be used in the reporting of vital events.

(2) Mandatory Electronic Filing for Certain Vital Events.

(a) Certificates of Birth and Reports of Fetal Death. Institutions that completed ten or more certificates of birth, reports of fetal death, or a combination thereof in the previous calendar year shall electronically prepare and file the following:

1. Certificates of birth, including registration of infants of unknown parentage; and

2. Reports of fetal death.

(b) Death Certificates

1. Physicians who completed ten or more death certificates in the previous calendar year and coroners and medical examiners shall electronically complete and submit the medical certification of death certificates. If a medical certifier subject to this requirement receives a death certificate in a non-electronic format, then the medical certifier may complete and submit the medical certification using any approved format.

2. An institution or funeral home shall electronically prepare, complete, and submit a death certificate unless the institution or funeral home must forward the death certificate to a medical certifier who is not required to complete or submit death certificates electronically.

3. If a medical certifier, institution, or funeral home does not have access to any computer with internet access, the State Registrar may exclude the medical certifier, institution, or funeral home from the electronic-filing requirement. A party seeking this exclusion shall apply for the exclusion by completing and submitting a form approved by the State Registrar.

4. The electronic filing of death certificates, as stated above, becomes mandatory on October 1, 2014.

(3) Information for Certificates. The following information shall be provided for the following certificates.

(a) Birth Certificates.

1. Information collected for birth certificates shall consist of date, time, and location of birth; name of child; sex; plurality and birth order if not single; mother's information such as name, residence, and date and place of birth; father's information as provided in Code of Alabama 1975, § 22-9A-7(f); attendant's information; and information for legal purposes such as certificate number and date filed.

2. Information that shall be collected for statistical research and public health purposes includes additional demographic information on the parents such as race, ethnicity, and education; information on prenatal care; information on mother's pregnancy history, risk factors, and other factors affecting pregnancy outcome; information on labor and delivery; information on the infant such as birth weight, gestation, and other factors affecting the health status of the infant; information on sources of care related to the pregnancy and methods of payment for that care; and other information needed to monitor public health programs. These items shall not appear on certified copies of birth certificates.

3. Additional information that may be collected for administrative and legal purposes but shall not appear on certified copies of birth certificates includes, but is not limited to, mailing address, phone number, and social security information.

(b) Death Certificates.

1. Information collected for death certificates to the extent known, shall include name of deceased; date, time and location of death; residence of deceased; identifying information on deceased such as date and place of birth, parents' names, and social security number; demographic information on deceased such as race, ethnicity, education, and occupation; marital status and name of spouse; information on the person providing the information; information on disposition of the body; information on the funeral director; the medical certification of cause of death; information on the person providing the medical certification; and other information as required for administrative and legal purposes.

2. If requested, certified copies of death certificates for deaths that occurred in 1991 or after, may be issued without the medical certification of cause of death.

(c) Marriage Certificates. Information collected for marriage certificates shall include names of the bride and groom; identifying and demographic information on the bride and groom; date and location where the license was issued; date and location of the marriage; and other information as required for administrative and legal purposes.

(d) Divorce Certificates. Information collected for divorce certificates shall include names of the husband and wife; identifying and demographic information on the husband and wife; date and location and reason for the divorce; information on children; and other information as required for administrative and legal purposes.

~~(4)(3)~~ Information for Reports. The following information shall be provided for reports required under Code of Alabama 1975, § ~~22-9A-13~~ 22-9A-13.

(a) Reports of Fetal Death.

1. Information collected for reports of fetal death may include date and location of the event; name if given; sex; plurality; attendant's information; mother's information such as name, residence, and date and place of birth; father's information if the father has been legally determined; demographic information on the parents such as race, ethnicity, and education; information on prenatal care; information on mother's pregnancy history, risk factors, and other factors affecting pregnancy outcome; information on labor and delivery; and other information needed to monitor public health programs.

2. As specified in Code of Alabama 1975, § 22-9A-13 (c), reports of fetal death are statistical reports only and certified copies of these reports are not issued. However, for a period of two years after the date of the event, information from a report of fetal death on date, time, and location of the event; name if given; sex; plurality; mother's information such as name, residence, and date and place of birth; father's information if the father has been legally determined; and attendant may be provided only to the parents named on the report of fetal death in a non-certified format as prescribed by the State Registrar. All other information from reports of fetal death shall be considered confidential and may be used only for statistical research and public health purposes.

(b) Reports of Induced Termination of Pregnancy.

1. Information collected for reports of induced termination of pregnancy may include non-identifying information on the patient such as age, race, ethnicity, location of residence, education, and marital status; date of event; location of event; information to determine gestation; pregnancy history; type of procedure; name of attendant; other information required by law; and information needed for monitoring reporting of the events.

2. As specified in Code of Alabama 1975, § 22-9A-13 (c), reports of induced termination of pregnancy are statistical reports only and certified copies of these reports are not issued. Except as provided in Code of Alabama 1975, § 22-9A-13 (b)(5), the only information released from these reports shall be in an aggregate format such that individuals, institutions, or physicians cannot be identified.

Author: Dorothy Harshbarger; Catherine Molchan Donald

Statutory Authority: *Code of Alabama, 1975*, §22-9A-2, §22-9A-6, §22-9A-7, §22-9A-13, §22-9A-14.

History: Repealed and Replaced: Filed June 20, 2007; effective July 25, 2007.