

Birth Certificates: Filing Requirements And Access**Birth Certificates: Filing Requirements And Access****19a-41-1. Birth certificates: Filing requirements for births occurring outside of an institution**

- (a) When a birth occurs outside an institution, as defined in subdivision (2) of Section 7-47a of the Connecticut General Statutes, the birth certificate shall be prepared by the physician or nurse midwife licensed pursuant to Chapter 377 of the Connecticut General Statutes in attendance at or immediately after the birth. For purposes of this subsection the words "immediately after" mean within thirty (30) minutes. If there is no physician or licensed nurse midwife in attendance at or immediately after the birth, the father or mother shall complete a draft birth certificate, also called a worksheet, which he or she may obtain from the town registrar of vital statistics. The completed certificate of live birth, or worksheet with the documentation described in this subsection, shall be filed with the registrar of vital statistics in the town in which the birth occurred or the town in which the newborn child is first removed from a moving conveyance in accordance with subdivision (d) of Section 7-48 of the Connecticut General Statutes, not later than ten (10) days after the birth. Prior to preparation and filing of such certificate, the father or mother shall verify the fact and circumstances of that birth by providing to the town registrar of vital statistics documentation of:
- (1) proof of pregnancy to include either:
 - (A) a signed and dated report from either the physician or clinic that provided prenatal care to the mother; or
 - (B) notarized affidavits provided by two (2) adults, other than the father and mother, having firsthand knowledge of the pregnancy; or
 - (C) a signed and dated report from either the physician or clinic that provided postpartum care to the mother within twenty-four (24) hours after the birth; and
 - (2) proof of live birth to include:
 - (A) a notarized affidavit by the mother attesting to the date, time, and place of such live birth and, if any other adult witnessed the birth, a notarized affidavit by one such adult; and
 - (B) a signed and dated report from either the physician or clinic providing medical care to the newborn within twenty-four (24) hours after the birth.
- (b) When the documents required in subsection (a) of this section are submitted to the town registrar of vital statistics, such registrar shall either file the certificate of live birth prepared by a physician or licensed nurse midwife, or prepare the certificate from the worksheet and file such certificate. It shall be signed by the person assisting in the delivery of the infant, or, in the absence of such person, the father or the mother. (Effective March 4, 1996.)

19a-41-2. A certified copy of or access to birth certificates

- (a) Anyone requesting a copy of, or permission to examine the original or copy of, a birth certificate or birth record in the custody of any registrar of vital statistics or the Department of Public Health shall provide proof, as specified in subsection (b) of this section, that the person is eligible to receive or examine such certificate or record under Section 7-51 of the Connecticut General Statutes.
- (b) The person whose birth is recorded, if over eighteen (18) years of age, or other requester as authorized by section 7-51 of the Connecticut General Statutes shall submit a valid, government issued photographic identification that includes the person's or requester's date of birth, signature, and an expiration date. Should such photographic identification be unavailable, originals or photocopies of the following documents shall be substituted for it. Unless otherwise indicated, such person or requester shall provide the documents listed in two (2) of the following subdivisions. If a registrar or the department has reason

Current with materials published in Connecticut Law Journal through 09/01/2009

Birth Certificates: Filing Requirements And Access

to doubt the authenticity of a document presented by such person or requester, such registrar or the department may request any additional document listed in subdivisions (1) to (15), inclusive, of this subsection:

- (1) social security card;
- (2) social security card supplemented with either an employment identification card, a paycheck stub or a W-2 form. Providing the documents in this subdivision fully satisfies the identification requirements of this section;
- (3) automobile registration;
- (4) copy of utility bill showing name and current address;
- (5) checking account deposit slip or bank statement stating name and current address;
- (6) voter registration card;
- (7) valid government issued trade or professional license;
- (8) valid government issued firearm permit;
- (9) probation documents issued by a court or other government agency, pursuant to a criminal conviction;
- (10) letter from a government agency verifying identity. The letter shall be dated within six months prior to the date of the request;
- (11) release documentation from a correctional institution containing a photograph of the former inmate and a release date within 12 months prior to the date of the request;
- (12) birth certificate of the requester;
- (13) military discharge papers;
- (14) current school or college photographic identification; or
- (15) government issued photographic identification that has expired within 12 months prior to the date of the request.

(Effective March 4, 1996; Amended January 25, 2011.)

19a-41-3. Belated registration of birth

- (a) Any person making an affidavit under Section 7-57 of the Connecticut General Statutes for the preparation and filing of a belated certificate of birth shall include the following information on the individual whose certificate is being requested:
 - (1) first, middle, and last name;
 - (2) sex;
 - (3) date of birth;
 - (4) place of birth:
 - (A) town;
 - (B) county; and
 - (C) hospital name or address of out-of-hospital birth;
 - (5) mother's maiden name; and
 - (6) father's full name.
- (b) A belated registration of birth shall not be prepared for any deceased person.
(Effective March 4, 1996.)

19a-41-4. Electronic vital records

- (a) Definitions. As used in this section:
 - (1) "Authentication of an electronic vital record" means affixing to a vital record transmitted to the department via an electronic vital records system the user identification, password or other means of electronic identification, as incorporated in the electronic vital records system, of the creator of the record or his designee. By affixing an assigned user identification, password or other means of electronic identification, as incorporated in the electronic vital records system, to a record transmitted electronically to the department, the creator or the creator's designee affirms that he or she is the transmitter of the record and

Current with materials published in Connecticut Law Journal through 09/01/2009

Birth Certificates: Filing Requirements And Access

that the information transmitted is authentic. The department may from time to time incorporate in the electronic vital records system such other means of electronic identification based on the ability of such means to establish the identity of each user of the system.

- (2) "Authorized entity" means any person, facility or institution, which is authorized by the department to transfer an electronic vital record through a controlled process, including but not limited to the following persons or institutions:
 - (A) Local Registrars as defined by section 7-36 of the Connecticut General Statutes
 - (B) Health care facility personnel affiliated with certifying births and deaths
 - (C) Funeral Directors and Embalmers licensed by the State of Connecticut
 - (D) Chief Medical Examiner

Authorization shall be approved by the department in writing, on a form supplied by the department. Upon approval, the department shall provide an authorized entity with a security identification code and password to access the system. The department may revoke authorization if it is determined that the authorized entity is not abiding by the controlled process as described in subsection (c) of this section.

An authorized entity may approve a designated individual to electronically create and transmit vital records to the department and to the local registrars of vital statistics. The designee shall be an individual whose regular work duties include assisting the authorized entity in creating and transmitting vital records.

Authorization for the designee shall be granted in writing upon a form supplied by the department. The department shall also sign such form for final approval of the authorization. Upon approval, the department shall provide the designee with a security code and user identification code and password to access the system.

- (3) "Commissioner" means the commissioner of public health.
- (4) "Controlled process" means a department approved, written administrative protocol that defines how an authorized entity protects the integrity and confidentiality of vital records that are electronically transmitted, and includes the criteria set forth in subdivision (4) of subsection (c) of this section.
- (5) "Department" means the department of public health.
- (6) "Electronic" means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.
- (7) "Electronic signature" means an electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.
- (8) "Electronic vital record" means a vital record created, amended, stored, generated, received or communicated by electronic means by the department or an authorized entity.
- (9) "Electronic vital records system" means a system used by the department to electronically collect and transmit vital statistics data and which is designed to ensure that data is not corrupted in the transmission process.
- (10) "Local registrar of vital statistics" means the local registrar of births, marriages and deaths or any local public official charged with the care of returns relating to vital statistics as defined in section 7-36 of the Connecticut General Statutes.
- (11) "Superintendent of registration of vital statistics" means the commissioner of public health as defined in section 19a-40 of the Connecticut General Statutes.
- (12) "Vital record" means a certificate of birth, death, fetal death or marriage as defined in section 7-47a(3) of the Connecticut General Statutes.

(b) **Applicability**

This section applies to the recording, preserving, indexing, amending, reproducing or transmitting of data, certificates, forms, documents, copies, indices, and files and the issuance of certified copies of vital records as authorized by Chapter 93 and sections

Current with materials published in Connecticut Law Journal through 09/01/2009

Birth Certificates: Filing Requirements And Access

19a-40 through 19a-45 of the Connecticut General Statutes.

(c) Electronic Vital Records Allowed

- (1) A vital record may be submitted electronically in a retrievable form through the electronic vital records system.
- (2) Any vital record that requires a manual, facsimile or other form of signature or that is given effect with a manual, facsimile or other form of signature may be signed or given effect with an electronic signature. Such electronic signature has the same force and effect as a manual, facsimile or other form of signature.
- (3) Only an authorized entity may electronically transmit vital records in this state. Such entity or its department approved designee, as described in subsection (a)(2) of this section, shall electronically create and transmit vital records to the department and to the local registrars of vital statistics.
- (4) An authorized entity may create, store, access and transmit any electronic vital record only through a controlled process. Such process shall ensure the accuracy and integrity of an electronic record during its creation, storage, usage and transmission and shall include steps for:
 - (A) Ensuring that electronic vital records are secure, including a means of establishing their chain of custody;
 - (B) Safeguarding the confidentiality of electronic vital records and preventing access to them by unauthorized persons;
 - (C) Detailed record keeping to allow for auditing by and accountability to the department;
 - (D) Ensuring that, for each electronic vital record, a single, unique, identifiable record exists;
 - (E) Ensuring that electronic vital records may be altered only in accordance with sections 19a-42 and 7-42 of the Connecticut General Statutes and applicable sections of the Regulations of Connecticut State Agencies;
 - (F) The authentication of electronic vital records and for ensuring that the user identification of each user of the controlled process is unique and incontrovertible; and
 - (G) Ensuring that there is at all times a designated custodian of the electronic vital records system.

The department shall provide a standardized controlled process that shall be signed by the authorized entity and returned to the department. If the standardized controlled process conflicts with the established business practices of the authorized entity, the authorized entity may modify the controlled process to suit its business needs. The modified controlled process shall be signed by the authorized entity, and submitted to the department for approval. The department shall notify the authorized entity in writing, whether the modified controlled process is accepted or refused.

- (5) The department shall use the system for the receipt and transmittal of electronic vital records. Such system shall be the central repository of electronic vital records for the State of Connecticut.
 - (6) The local registrar of vital statistics shall be the custodian of the originals of the paper or microfilm version of the vital records that he or she creates and shall issue certified copies of vital records from the electronic vital record system, when applicable, or the paper vital records or microfilmed vital records in his or her custody.
- (d) The Relationship between this Section and Regulations Adopted Pursuant to Section 1-264 of the Connecticut General Statutes. In the event of a conflict between any provisions of this section and the provisions of any regulation the Department of Information Technology adopts pursuant to section 1-264 of the Connecticut General Statutes, the provisions of the regulations of the Department of Information Technology shall prevail, except where the inconsistency results from a specific requirement of the

Current with materials published in Connecticut Law Journal through 09/01/2009

Birth Certificates: Filing Requirements And Access

vital records statutes, sections 7-36 through 7-76, inclusive, and sections 19a-40 through 19a-45, inclusive, of the Connecticut General Statutes, in which case the provisions of the vital records statutes shall prevail.
(Added effective December 5, 2001.)