

Amendments And Corrections To Vital Records**Amendments And Corrections To Vital Records****19a-41-5. Definitions**

For the purposes of sections 19a-41-6 through 19a-41-11, inclusive of the Regulations of Connecticut State Agencies:

- (1) "Medical Examiner" means any physician licensed to practice medicine in this state who is employed by the Office of the Chief Medical Examiner for the purpose of investigating and certifying the cause and manner of death. For the purpose of these regulations, "medical examiner" does not include physicians who perform the duties of a medical examiner through a contractual agreement with the Department of Administrative Services;
- (2) "Certifier" means the practitioner who attests to the cause and manner of death and signs the death certificate.
(Effective August 1, 2005.)

19a-41-6. General instructions for amending and correcting vital records

If a vital record is electronically filed, amendments and corrections shall be completed through methods incorporated into the electronic vital records system. If the original source of the vital record is in a paper format, the local registrar shall insert the information that was left incomplete, or in the case of inaccurate information, type a single line through the data that is to be changed. The added or modified information shall be typed onto the certificate in the box designated for such information. If a document is bound, the changes shall be legibly printed in black ink. In the alternative, a vital record in paper format may be corrected or amended by converting the certificate to an electronic format, if such electronic format is available. For all corrections, as defined in section 7-36 of the Connecticut General Statutes, the date of the correction and a summary description of the evidence submitted in support of the correction shall be maintained as part of the record. For all amendments, as defined in section 7-36 of the Connecticut General Statutes, excluding amendments related to parentage, gender change or cause of death, the word "Amended" shall be recorded on the face of the certificate along with the item category, the information that was changed, the date of the amendment, and a description of the documentation provided to support the amendment. The documentation provided to support the amendment or the correction shall be maintained in an evidence file.

(Effective August 1, 2005.)

19a-41-7. Supporting documentation for amendment or correction. Due process when request for amendment or correction is denied

A registrar of vital statistics shall amend or correct a vital record upon the written request of a party authorized under section 19a-41-8 of the Regulations of Connecticut State Agencies to make such request when the party provides documentation to support the requested change. Only unaltered documents will be accepted. In addition to documentary evidence, the requesting party shall also provide an affidavit affirming that the existing vital record is incorrect or incomplete, and that the newly provided information is accurate. A registrar shall waive the requirement of an affidavit when the party requesting the amendment or correction is the funeral director, birth registrar, or certifying practitioner who created the vital record. The registrar shall evaluate the supporting documentation. If the documentation justifies the requested change, the registrar shall amend or correct the record as requested, and maintain the supporting documentation and the written request in an evidence file. If the registrar finds reason to doubt the validity of the documentation, or if the documentation is not adequate to support the requested amendment or correction, the registrar shall deny the request in writing. In such a case, the local registrar shall notify the applicant in writing that the applicant may request that the Department review the matter. The local registrar shall send a copy of the denial letter to the Department. On the applicant's request, the State Registrar of Vital Records shall review the information. If the State Registrar of Vital Records finds that the submitted documentation is

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authentic and supports the requested change, the State Registrar shall amend or correct the vital record to reflect the change. If the State Registrar of Vital Records finds that the documentation is not authentic or that it does not support the requested change, the State Registrar shall deny the request and notify the applicant in writing of the denial. The Department shall also notify the applicant in writing that the applicant has the right to a hearing on the matter. The hearing shall be held in accordance with Chapter 54 of the Connecticut General Statutes and sections 19a-9-1 to 19a-9-29, inclusive, of the Regulations of Connecticut State Agencies. If the hearing officer finds that the submitted documentation is authentic and supports the requested change, the State Registrar shall amend or correct the vital record to reflect the change.

(Effective August 1, 2005.)

19a-41-8. Who may apply to modify a vital record

- (a) The local registrar at the town of occurrence or the State Registrar may correct or amend obvious errors, omissions, or transpositions of letters in words of common knowledge, upon his or her own observation or query.
 - (b) An individual responsible for filing a birth certificate may request in writing the correction or amendment of the certificate. In addition, a registrant, if over 18 years old, may request in writing a correction or amendment of the registrant's own birth certificate. A custodial parent or legal guardian of a minor child may request in writing the correction or amendment of the child's birth certificate. Only a registrant over 18 years old, or a custodial parent or legal guardian of a minor registrant, may request the amendment of a birth certificate to reflect the registrant's gender change. Only the commissioner shall make amendments pertaining to adoption, gestational agreements, or maternity upon receipt of a court order. Only the commissioner shall make amendments related to paternity based on a court order or on a voluntary acknowledgement of paternity.
 - (c) A custodial parent, the certifier, medical examiner or funeral director may apply for the modification of a fetal death certificate.
 - (d) Both parties to a marriage shall apply jointly to modify a license and certificate of marriage or an affidavit recorded pursuant to subsection (b) of section 46b-34 of the Connecticut General Statutes, except that, where one spouse is deceased, the surviving spouse may apply individually for the modification of such license and certificate or affidavit. A party to an annulled or dissolved marriage may only apply for the modification of items on the marriage certificate relating to such party.
 - (e) The next of kin, the informant, certifier, medical examiner, or funeral director named on a death certificate may apply for the modification of a death certificate. Only the Office of the Chief Medical Examiner or the practitioner who originally certified the cause of death, may apply for a modification to the cause of death. In the absence or inability of the certifying practitioner, or with his or her approval, the cause of death may be amended upon receipt of a signed statement from an associate practitioner approved to certify the cause of death in accordance with section 7-62b of the Connecticut General Statutes, or the chief medical officer of the institution in which the death occurred, provided such individual has access to the medical history of the case.
 - (f) Except as otherwise specified by statute, no information shall be removed or otherwise changed on a vital record if such information is known to be accurate.
- (Effective August 1, 2005.)

19a-41-9. Amending or correcting birth records: Corrections within one month of filing birth certificate, legal name change, correcting obvious errors to registrant's name, adoptions, paternity, gender change

- (a) The local registrar of the town where a birth occurred or the Department shall amend a name on a birth certificate when the request for the amendment is accompanied by a certified copy of a court order granting the legal name change. The registrar or the Department shall place the new name on the birth certificate in accordance with the

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- provisions of these regulations, and shall mark the birth certificate "Amended." The registrar or the Department shall record on the face of the certificate the original name of the person, the authority by which such legal name change was granted, and the date of the amendment.
- (b) For up to 30 days following a registrant's birth, a parent may request that the registrant's name be changed to correct an obvious typographical or clerical error, by signing and presenting to the local registrar of the town in which the birth occurred, the Parent Notice issued by the birthing hospital. After said thirty-day period, a registrant, if over eighteen years old, or a custodial parent or legal guardian of the registrant, if the registrant is a minor, may request that the registrant's name be changed to correct or amend obvious typographical or clerical errors, by presenting two items of documentary evidence that were produced during the registrant's early childhood, from birth through age 7. The following documents are acceptable in their original form:
- (1) Newspaper announcement of registrant's birth;
 - (2) Computer printout of registrant's application for a Social Security number;
 - (3) Early childhood insurance policy application;
 - (4) Early childhood savings bond;
 - (5) Federal census;
 - (6) Certified copy of a sibling's or parent's birth certificate (last name spelling correction only);
 - (7) Certified copy of parents' marriage certificate (last name spelling correction only);
 - (8) Official legal document showing mother's or father's last name, such as a passport, issued no later than the registrant's date of birth (last name spelling correction only);
 - (9) Letter from hospital where registrant was born verifying that a clerical error was made;
 - (10) Other documents as approved by the State Registrar of Vital Records. If a record or document containing proof of the registrant's correct name exists but the requester is unable to present the document in its original form, a duly certified copy, or an attested copy signed by the custodian of the record or document, may be submitted as proof of the registrant's correct name. The document must have been produced during the registrant's early childhood, from birth through age 7. This procedure may be used to submit evidence from the following types of records:
 - (11) Early childhood baptismal record;
 - (12) Early childhood physician record;
 - (13) Early childhood hospital, clinic or nursery record;
 - (14) Application for day care or nursery;
 - (15) Early childhood elementary school record (kindergarten or 1st grade);
 - (16) Early childhood census record;
 - (17) Other documents as approved by the State Registrar of Vital Records. A local registrar shall contact the Department to obtain approval to accept a document for proof of evidence for any document not listed in subdivision (1) through (16) of this section. The Department may grant approval either verbally or in writing.
- (c) Only the commissioner may amend a birth certificate related to an adoption. The commissioner shall replace the original birth certificate on receipt of a certified copy of a Record of Adoption (VS-51) or Out-of-State Record of Adoption (VS-51a), along with a certified copy of the adoption decree, with a new certificate of birth created in accordance with sections 7-53-1 to 7-53-3, inclusive of the Regulations of Connecticut State Agencies. In the case of a foreign birth adoption, the commissioner shall create a Certificate of Foreign Birth or Certification of Birth Registration upon the written request of the adoptive parent, along with a certified copy of a Record of Adoption (VS-51) for a foreign birth adoption finalized in the United States that names a Connecticut resident as the adoptive parent or upon receipt of a certified copy of a Connecticut probate court

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- order authenticating a foreign birth adoption finalized outside of the United States.
- (d) Only the commissioner shall amend a birth certificate to include or change paternity information on a birth certificate. Upon receipt of a notarized acknowledgement of paternity form signed by both parents or a certified copy of an adjudication of paternity, the commissioner shall create a new birth certificate to show the father's name on the birth certificate. The new birth certificate shall not be marked "Amended." If another father is already listed on the original birth certificate, a new birth certificate may only be prepared when an adjudication of paternity is made by a court of competent jurisdiction. A new birth certificate shall be created by entering the new paternity information into the electronic birth registry system, and by changing the name of the child if so indicated on the acknowledgement of paternity form or within the certified court order that establishes paternity. The new certificate shall be used to issue certified copies. The commissioner shall place the original birth certificate and the acknowledgement of paternity form or court order in a confidential file. A certified copy of the amended certificate shall be sent either through mail or electronically to all local registrars of vital statistics who have the original certificate on file, along with a letter informing the local registrar that the original birth certificate has been amended for reasons of paternity, and instructing the local registrar to place the original birth certificate in a confidential file. Access to confidential paternity files maintained at the State and local vital records offices, and the information contained within such files, shall be restricted to the registrar, designated staff members, or to other parties upon an order of a court of competent jurisdiction.
- (e) Only the commissioner shall amend a birth certificate to reflect a gender change. In order to request a gender change amendment the following documents shall be submitted to the commissioner:
- (1) Affidavit from a licensed psychiatrist, psychologist or clinical social worker performing a psycho-social evaluation, attesting to the fact that the registrant is socially, psychologically and mentally the designated sex;
 - (2) Affidavit from the surgeon performing the sex change operation, attesting to the fact that the surgery was performed;
 - (3) Court order for legal name change if applicable.
- Upon receipt of the required documentation, the commissioner shall create a new birth certificate reflecting the newly assigned gender, and the legal name change if applicable. The new certificate shall not be marked "Amended" and shall be used to issue certified copies. The original birth certificate, and the supporting documentation shall be placed in a confidential file. A certified copy of the amended certificate shall be sent either through mail or electronically to all local registrars of vital statistics who have the original certificate on file, along with a letter informing the local registrar that the original birth certificate has been amended due to gender change, and instructing the local registrar to place the original birth certificate in a confidential file. Access to confidential files for gender change amendments maintained at the State and local vital records offices, and the information contained within such files, shall be restricted to the registrar, designated staff members, or to other parties upon an order of a court of competent jurisdiction.
- (f) To amend the date or time of birth, or the child's birth weight, an applicant shall provide documentation from the clinician attending the birth or an administrator of the hospital of which the birth occurred, supporting the proposed amendment.
(Effective August 1, 2005.)

19a-41-10. Death records: Amending cause-of-death information

- (a) When existing language on a standard death certificate (VS-4) requires amendment due to a change in the original cause-of-death diagnosis, the practitioner who provided the original medical certification shall submit a letter to the local registrar of the town where the death occurred, indicating the correct cause of death. The letter shall be written on

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the practitioner's professional stationery and signed and dated by such practitioner. In the absence or inability of the certifying practitioner or with such practitioner's approval, the cause of death may be amended upon receipt of a signed statement, on the hospital's or practitioner's professional stationery, from an associate practitioner approved to certify the cause of death in accordance with section 7-62b(c) of the Connecticut General Statutes, or the chief medical officer of the institution in which the death occurred provided such individual has access to the medical history of the case. The state or local registrar may require documentary evidence to substantiate the requested amendment. The Office of the Chief Medical Examiner may also correct the cause-of-death information on a standard death certificate by issuing to the local registrar of the town where the death occurred, a Medical Examiner death certificate (VS-4 ME) listing the correct cause-of-death, along with a letter instructing the registrar to replace the standard death certificate with the Medical Examiner death certificate containing the correct medical diagnosis.

Upon receipt of proper documentation, the local registrar of the town where the death occurred shall amend the original death certificate by drawing a single line through the original cause-of-death information, and typing the correct medical diagnosis, or by entering the corrected data in an electronic death registry system if such system is available to the local registrar. The local registrar shall record the word "Amended" on the face of the original death certificate, along with a description of the item that was amended, and the date of the amendment. If a private practitioner initiates the amendment, the local registrar shall create a new death certificate by typing all the information from the original death certificate onto a blank standard death certificate, or by entering the data into the electronic death registry system, except that the corrected cause-of-death information shall be substituted for the original cause-of-death information. If the amendment is initiated by the medical examiner, the local registrar shall complete the Medical Examiner death certificate received from the Office of the Chief Medical Examiner listing the new cause of death, by entering all other information as stated on the original standard death certificate. All dates are to remain the same as on the original death certificate, except that the "Certificate Received for Record" date shall reflect the new receipt date. The new death certificate shall contain the signatures of the practitioner or medical examiner, and the funeral director who signed the original death certificate. If the registrar cannot obtain the signature of the practitioner, medical examiner or funeral director the registrar shall insert the name of the practitioner, medical examiner, or funeral director in the appropriate spaces. The registrar shall not mark the new certificate "Amended."

The local registrar shall send either by mail or electronically, an authenticated copy of the new certificate to the Department and to the local registrar of the decedent's town of residence at the time of death, along with a letter explaining that the certificate being sent is a replacement certificate for the original death certificate already on file. If the death certificate is a paper certificate, the registrar shall send the original death certificate and the documentation requesting and supporting the change to the Department for placement in a confidential file. Only the commissioner may order the confidential record unsealed. Upon receipt of the amended death certificate, the Department and the local registrar of the town of residence shall replace the original death certificate with the new death certificate. When a certified copy of the death certificate is requested, the registrar or the Department shall issue a certified copy of the new death certificate.

- (b) Amendments to cause-of-death information on a Medical Examiner death certificate (VS-4ME) shall be changed only upon the request of the Chief Medical Examiner's Office. To amend a cause of death listed as "Pending," the Chief Medical Examiner's Office shall submit a Correction Form (VS-35) to the local registrar of the town where the death occurred, indicating the actual cause-of-death diagnosis.

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Upon receipt of a Correction Form, the local registrar shall enter the new information in the electronic death registry system if available, or in the case of paper death certificates, type or draw a line through the word, "Pending", and insert the cause-of-death information and any additional information into the appropriate boxes as listed on the Correction Form. The registrar shall place the word "Amended" on the face of the original death certificate, along with the item number that was amended, the date of the amendment, and the phrase 'per Medical Examiner.' Not later than ten days after the registrar amends the original death certificate, the local registrar shall send either through mail or electronically, an authenticated copy of the amended death certificate to the Department. If the copy is in paper format, the registrar shall send the authenticated copy separately from the regular monthly batch of vital records sent to the Department. The local registrar shall also send either through mail or electronically, an authenticated copy of the amended death certificate to the decedent's town of residence at the time of death. The Correction Form shall be kept on file at the town of occurrence. (Effective August 1, 2005.)

19a-41-11. Amending race information on vital records

- (a) The local registrar of the town where the vital event occurred or the Department shall correct or amend race information on a vital record upon the request of an eligible party as specified in section 19a-41-8 of these regulations. The party requesting the modification shall provide documentation supporting the requested change. The following documentation is acceptable to support a change in race information:
- (1) a certified copy of a certificate of birth for the registrant's ancestor; or
 - (2) certification by a state or federally recognized Indian tribe that the registrant is a member of a tribe; or
 - (3) other documents as approved by the State Registrar of Vital Records.
- A local registrar shall contact the Department to obtain approval to accept a document for proof of evidence for any document not listed in this subsection. The Department may grant approval either verbally or in writing. (Effective August 1, 2005.)

19a-41-12. Amendment of the same item more than once

Once an amendment of an item is made on a vital record, that item shall not be amended again except upon receipt of a court order from a court of competent jurisdiction. (Effective August 1, 2005.)

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Each person applying for a marriage license shall provide the local registrar of vital statistics with a valid, government issued photographic identification that includes the applicant's date of birth, signature and an expiration date. Should a photographic identification be unavailable, then the originals or photocopies of the following documents shall be substituted. Unless otherwise indicated, the applicant shall provide the documents listed in two (2) of the following subdivisions. If the registrar has reason to doubt the authenticity of a document presented by the applicant, the registrar 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;

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- (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 applicant;
 - (13) military discharge papers;
 - (14) current school or college photographic identification;
 - (15) government issued photographic identification that has expired within 12 months prior to the date of the request; or
 - (16) other documents as approved by the State Registrar of Vital Records.
- (Effective January 25, 2011.)