

**FISCAL NOTE**  
**Requested by Legislative Council**  
**12/19/2014**

Amendment to: HB 1116

- 1 A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2013-2015 Biennium		2015-2017 Biennium		2017-2019 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures						
Appropriations						

- 1 B. **County, city, school district and township fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

	2013-2015 Biennium	2015-2017 Biennium	2017-2019 Biennium
Counties			
Cities			
School Districts			
Townships			

- 2 A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

The Bill amends and reenacts sections of North Dakota Century Code relating to the Health Statistics Act to provide clarification.

- B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

Section 7 of the Bill allows the Department of Health to issue, through electronic means, verification of information contained on birth or death records filed with the state registrar. This information may be issued for a negotiated and agreed-upon fee.

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

- A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

The potential general fund revenue collected based on this proposed legislation is estimated to be insignificant.

- B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

This proposed legislation is not anticipated to impact the current work load of the existing staff.

- C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation or a part of the appropriation is included in the executive budget or relates to a continuing appropriation.*

**Name:** Brenda M. Weisz

**Agency:** Department of Health

**Telephone:** 328-4542

**Date Prepared:** 01/02/2015

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Bill/Resolution No.: HB 1116

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**Date Prepared:** 01/02/2015

**2015 HOUSE HUMAN SERVICES**

**HB 1116**

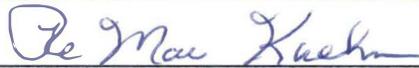
# 2015 HOUSE STANDING COMMITTEE MINUTES

Human Services Committee  
Fort Union Room, State Capitol

HB1116  
1/12/2015  
21852

- Subcommittee  
 Conference Committee

Committee Clerk Signature



## Explanation or reason for introduction of bill/resolution:

Relating to the Health Statistics Act

## Minutes:

Testimony #1-5

**Chairman Weisz:** opened the hearing on HB 1116.

**Darin Meschke, State Registrar and Director of the ND Dept. of Health's Division of Vital Records:** testified in support of the bill and offered an amendment.  
(See Testimony #1)

**Rep. Seibel:** (12:20) My question is on page 7, Section 2 under Section 5, what happens should the fetal death occur which is the same as a stillborn baby?

**Darin Meschke:** Fetal death is a more technical term that is used by the National Center for Health Statistics.

**Rep. Seibel:** So what happens should the gestation period be 30 weeks? Does the funeral home need to be called in that instance or can the hospital file the death registration on its own.

**Darin Meschke:** A funeral home does not have to be involved with a fetal death. The hospital can complete the registration if the parents decide to have the hospital dispose of the fetus.

**Chairman Weisz:** I understand your rationale for the 15 to 10 days but does that cause a burden?

**Darin Meschke:** There are situations where it goes past 15 days now. It is hard to track down who their doctor was. We would like to start that process sooner to find the correct doctor. About 75% of these records are filed within 10 days so this would allow our office to start that follow up 5 days sooner so we can get the record to the families 5 days sooner.

**Rep. Porter:** In the fiscal note it talks about the potential for a fee but there aren't any dollar amounts. Are you currently charging a fee for the services that are described?

**Darin Meschke:** The fee that it speaks of is the ND Dept. of Health involvement with a national system called EVE. The fees are established by that national system for these verifications. We participate in that. Every time a birth record is verified we receive an additional \$1.35. The verification happens electronically. The agency that is making the request has a birth certificate in front of them and just wants to verify that the information is accurate.

**Rep. Porter:** On the fiscal note under #2, b where it talks about Section 7 that you are creating a new fee, you can negotiate for those electronic verifications.

**Darin Meschke:** That is what I am talking about. The negotiated rate in the language of the bill allows us to follow that national pricing model. We couldn't set our own price.

**Rep. Porter:** On page 9 "sir name designated by the parents on the acknowledgement of paternity with an unmarried couple" also comes into play on top of page 5. What if they don't agree under your new proposed changes?

**Darin Meschke:** A paternity acknowledgement is not signed. It would involve a court proceeding. We will then register the child under her sir name.

**Rep. Porter:** How is paternity then established at time of birth if the mother knows who the father is? But to list the father, does that require their permission?

**Darin Meschke:** We cannot add the father in an unmarried situation without that acknowledgement of paternity. If the father refuses to sign based on their differences of opinion over a name, then the record is given without a father listed. It happens after the fact. So the registration occurs anyway. They could agree 10 days later. Then we just change the name of the child to what they choose.

**Rep. Keifert:** On page 7, line 11 with the words stricken from the law. What is that?

**Darin Meschke:** We do not have rules for filing a fetal death for less than 20 weeks of gestation. That is why we are asking for the removal of that from the law.

**Rep. Keifert:** We don't keep any data on abortions in North Dakota. Are we saying that death hasn't occurred?

**Darin Meschke:** We do keep statistics on abortions at the Health Dept. A fetal death is not an abortion. A miscarriage is not an abortion. A fetal death is a spontaneous death of the fetus whereas an abortion is not spontaneous. It is deliberate. We do not keep records of fetal deaths of less than 20 weeks gestation.

**James Barnhardt, Administrator, College Save Plan, Bank of ND:** (22:30) Asked for an amendment. (See Testimony #2)

**Rep. Oversen:** (26:52) On page 2 you mentioned the enhancement of the program to a \$200 amount. Is that something you are pursuing through legislation or is the bank reauthorizing the program with an additional amount?

**James Barnhardt:** Currently our Children First program is one-year match of a \$100. About 40% use the program. We send a mailing about 6-9 months after birth to give the family time to adjust. Of that mailing we get about 10% of the families. Of the 10,000 newborns in North Dakota, this year we did about 900 Children First grants. They have one year prior to the child's first birthday to get into the program. They have until the child's fourth birthday to put in \$100. Currently we are doing \$100. We would like to increase that to a \$200 match being \$100 during the first year of the birthday. The full match would automatically be enrolled in the second year of the birthday but still have to accomplish the match.

**Chairman Weisz:** They have to choose to go with the program within one year of the birth?

**James Barnhardt:** Correct.

**Rep. Mark Dosch:** (29:21) Supported the amendment that the Bank of ND asked for. (See Testimony #3)

The problem is they have to opt in. Most people don't do that. This would allow the Bank of ND to receive statistical information on new births.

## OPPOSITION

**Donna Henderson, Home Birth Freedom ND:** (31:41) (See Testimony #4)

**Chairman Weisz:** (40:47) Why on page 3, line 30 "within 5 days" is it an issue that you would need extended to 90 days to deliver the information.

**Donna Henderson:** When we birth at home, the midwife will return a week later with the forms. In rural North Dakota with other things happening a week is not enough.

**Rep. Oversen:** When looking at the current required forms, we are not changing the way anything happens?

**Donna Henderson:** The information they collect is very in depth. They include the verification that the baby was born alive, etc. We are afraid that the wording is going to allow them to require more validation.

**Rep. Oversen:** We will still have to go through an administrative rules change. Correct?

**Chairman Weisz:** That is correct.

**Paulette Efimenko:** (45:37) A traditional midwife for 32 years. Testified in opposition of the bill. Handed out all the forms required by the State of ND for birth notification. (Testimony #5)

A lot of questions that have been added have been invasive to the parents and their right to choose what is best. For example, the immunizations factor, a newborn screening test, prenatal, etc.

The extension of time on page 3, line 30 & 31 which requires registration within 5 days after a birth. I usually don't do the forms until the one-week checkup after birth. If we could extend this to 90 days after birth to cover any extenuating circumstances preventing getting the information right away.

On page 11, line 14, they added "a form being used to be sent in by the fifth of each month for birth, death, or fetal death." I would ask that "birth" be removed. We send in the birth certificates which have all the information on it. That would be like double forms. I would request that be removed also and only pertain to fetal deaths.

In reference to the Bank of ND amendment, if you look at the birth certificate forms, the parents' worksheet, page 3, number 19. It says, "Do you wish to receive any parenting information? College Save money, etc." It seems like that is already being taken care of. The parents on this form have the right to choose if they want that information. Making it mandatory that every child's information goes to the Bank of ND is infringing on the rights of the parents.

**Rep. Fehr:** How do you fill these forms out? What is done before and after a birth?

**Paulette Efimenko:** I fill out my own forms right after the birth for my own files within 10 hours after the birth. A lot of that information goes onto the birth certificate form. I do the monthly checkups of the mother. So I have a prenatal record also. At the one-week checkup we sit with the mother and use my forms to fill out the birth certificate. The last sheet is the request form for their certified copy of the birth certificate. It asks again for more information. They either have to get it notarized or send in an ID photocopy.

**Rep. Mooney:** Why would it require you 90 days to fill out these papers?

**Paulette Efimenko:** That would be an extreme case to not get these forms in within 90 days.

**Chairman Weisz** closed the hearing on HB 1116.

# 2015 HOUSE STANDING COMMITTEE MINUTES

Human Services Committee  
Fort Union Room, State Capitol

HB 1116  
1/14/2015  
21994

- Subcommittee  
 Conference Committee

Committee Clerk Signature



## Explanation or reason for introduction of bill/resolution:

Relating to the Health Statistics Act  
(Committee Action)

## Minutes:

Attachment #1

**Chairman Weisz:** Look at the amendment proposed by the Bank of North Dakota.

**Rep. Oversen:** I support this amendment. I think very few parents do know about the program. I don't think allowing the bank to send a separate packet of information just on that is a bad idea.

**Rep. Kiefert:** I like the aspect that they do have a choice. They can check on the sheet if they want it. I hate to force things down our taxpayers' throat all the time.

**Rep. D. Anderson:** How do they find out to begin with now?

**Chairman Weisz:** When you have a newborn, you receive a packet of information with this included.

**Rep. Seibel:** I like the idea now where it is their choice whether they receive it or not.

**Rep. Oversen:** The question they ask on the birth records provides general parenting information.

**Chairman Weisz:** I thought you get information from the hospital about a 529 College Saving Plan. The intent is excellent but I struggle with the privacy issue.

This amendment for page 10 correlates the Department of Health, the Department of Transportation, Protection and Advocacy, Information Technology, and the Department of Human Services for the purpose of completing their respective official duties. That raises another question that by adding the Bank of North Dakota does that grant them the information?

**Rep. B. Anderson:** I don't know that it is the official duty of the Bank of North Dakota to have that done.

**Chairman Weisz:** The other departments have access because they have a role they have to fill.

**Rep. Damschen:** The Bank seems out of place with the rest of it.

**Rep. Rich Becker:** That concerns me too. We are giving a competitive advantage to only one banking institution.

**Chairman Weisz:** The state funds that are being matched are only available through the Bank of North Dakota.

**Rep. Muscha:** How else do they advertise for this other than in a packet?

**Chairman Weisz:** I'm not sure.

**Rep. D. Anderson:** I just read the Bank of North Dakota had record profits this year. Maybe they could designate some money to promote that.

**Chairman Weisz:** (11:20) Requested to get a feel for the wishes of the committee on adding the amendment from the Bank of North Dakota. (See attachment #1)

**Feedback from the committee not in favor** for adding the amendment from the Bank of North Dakota.

**Chairman Weisz:** Now to address the other issues. The Dept. of Health came to talk to me. They want the bill to pass in some form.

**Rep. Damschen:** Those against some of the changes are so because of the line "prescribed by the State Dept. of Health" and the "five days." I think they are alright with the rest of it.

**Chairman Weisz:** We'll go through each change. Starting on page 2, line 23 & 24 where they added the definition of "Personal or real property interests."

Page 3, under "Birth registration." There is concern about just leaving it up to the Dept. of Health to determine whatever rules they want.

**Rep. Damschen:** If in line 22, you struck the new language and then continued on and added "within 60 days."

**Chairman Weisz:** I received an email with a suggestion of 30 days. I think 90 days is too long.

**Rep. Damschen:** Page 3, line 22 would read "When a birth occurs outside an institution, the required forms must be prepared and filed with the state registrar within 30 days."

**Chairman Weisz:** What was struck out has nothing to do with the prescribed forms currently. What are the forms?

**Rep. Damschen:** I did get information from a constituent that you can't put in statute a particular form that could be amended. You have to put the version of the form in and then it would take legislation to change.

**Chairman Weisz:** That is the problem. They have to wait two years to change it.

**Rep. Fehr:** If you go to line 16, "A birth record for each live birth that occurs in this state must be filed with the state registrar." It would only make sense that people would go to the registrar for a form. I think we should not strike lines 24-30. Keep the language that says "prescribed by the state department of health." Then change the last line 30-31 to 30 days or however many days we decide.

**Rep. Seibel:** Right now somebody is requiring the forms. Page 3, #2 says "the person in charge of the institution where a birth occurs must file it." If we strike lines 25-30, it doesn't say who has to file it.

**Chairman Weisz:** I would agree.

**Rep. Oversen:** (21:49) My reading of testimony from the Dept. of Health says "it is for the purposes of clarifying." The forms given to us, one is for the attendant and one is for the parent. That explains who fills out the forms which is the language we are removing.

**Chairman Weisz:** The concern from the other side was that if they no longer send out a form for the attendant, they are cut out.

**Rep. Damschen:** Subsection 3 is only specific to births outside of an institution.

**Chairman Weisz:** The state has declared that the information is needed regardless where the birth occurs.

**Rep. Muscha:** What about the cases of babies born in the car?

**Chairman Weisz:** Page 3, line 27 if left in would say, "Any other person in attendance or immediately after birth."

**Rep. D. Anderson:** The worksheet says "it should not be completed by the parents except in the case of home birth."

**Rep. Fehr:** That means it should be completed by the person delivering the child or the mother. So it is already defined by the form.

**Rep. Hofstad:** That is the fear of the midwives. If we take this out of code, it goes to administrative rule which then in the hands of the Health Dept.

**Chairman Weisz:** If we take this out, the Health Dept. could require that a physician has to do the birth.

**Rep. Damschen:** Would you be leaving in the new language in line 22 & 23?

**Chairman Weisz:** Yes

**Vice Chair Hofstad:** Moved an amendment to remove the overstrike on page 3, lines 23-30 and change the "5 days" to "30 days" after birth.

**Rep. Fehr:** (31:20) Seconded the motion.

**Rep. Damschen:** Should we put the time limit in line 23?

**Chairman Weisz:** The amendment would read starting on page 3, line 22, "When a birth occurs outside an institution, the required forms prescribed by the state department of health must be prepared and filed with the state registrar within 30 days after the birth by one of the following in the indicated order of priority:."  
(Corrected January 26 on Job #22532)

**Rep. Kiefert:** Part of my concern is when a birth occurs in an institution, they can electronically file. When it occurs outside, you are subject to what is prescribed by the State Department of Health. If it can be electronically filed, what is stopping them from having a 500 page document?

**Chairman Weisz:** There will be some unhappy people back here in two years.

**Voice vote taken on** Vice Chair Hofstad's motion.

Motion passed.

**Chairman Weisz:** (35:40) Continued working through the bill with the committee to give opportunity for any further suggested changes.

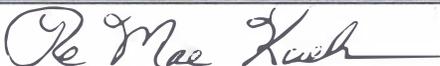
# 2015 HOUSE STANDING COMMITTEE MINUTES

Human Services Committee  
Fort Union Room, State Capitol

HB 1116  
1/19/2015  
22164

- Subcommittee  
 Conference Committee

Committee Clerk Signature



## Explanation or reason for introduction of bill/resolution:

Relating to the Health Statistics Act.  
(Committee Action)

## Minutes:

Handout #1

**Chairman Weisz** opened the meeting on HB 1116.

**Rep. Damschen:** I got a package of amendments and haven't been able to look at them yet. (See Handout #1)

**Rep. Porter:** Did you adopt amendments on this bill?

**Rep. Weisz:** We rejected the amendment from the Bank of ND. We accepted all the changes except on page 3, we brought back the deleted language. On line 30 we changed 5 days to 30 days. Those are the only changes we made.

I talked to the Health Dept. about the 20 weeks on page 7. Their database is a national database. Anything less than 20 weeks is considered a miscarriage. It is not considered a fetal death from the national perspective.

**Rep. Seibel:** On page 1, line 22, subsection 7 gives a definition of a fetal death. In that definition it says "irrespective of the duration of pregnancy." So maybe that definition needs to be changed.

**Chairman Weisz:** The language there should say 20 weeks.

**Rep. Porter:** The definition between fetal death and stillbirth in Section 1 are the same thing. In Section 5 under the registration component they're considering them two separate things.

**Chairman Weisz:** But by definition they are not.

**Chairman Weisz:** We need Darin from the Health Department to come down. We will continue at another time.

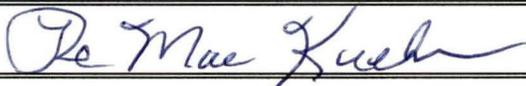
# 2015 HOUSE STANDING COMMITTEE MINUTES

Human Services Committee  
Fort Union Room, State Capitol

HB 1116  
1/20/2015  
22248

- Subcommittee  
 Conference Committee

Committee Clerk Signature



## Explanation or reason for introduction of bill/resolution:

Relating to the Health Statistics Act  
(Committee Action)

## Minutes:

Amendment #1 attached

**Chairman Weisz:** Page 1 defines "fetal death." Fetal death is "irrespective of the duration of the pregnancy." We're defining it at any stage as a fetal death.

Then on page 7, "A fetal death record for each fetal death which occurs after gestation period of twenty weeks." Then on line 21, "When a fetal death occurs, they have to report the death within 10 days after the delivery." But you told me if it is a miscarriage it doesn't have to be reported.

**Darin Meschke, State Registrar and Director of the Division of Vital Records for the Health Department:** (3:03) The definition of fetal death as you see on page 1 says "irrespective of the duration." The amendment under Section 5, starting on line 10 is for the reporting requirement of that fetal death. Most states define a fetal death for reporting purposes at 20 or more weeks of gestation. In the definition, a fetal death is defined as a death that occurs irrespective of duration and not on a voluntary basis like an abortion. Fetal death is when a baby dies in uterine. But the reporting requirement of that on a national level is based on the 20 week definition.

**Chairman Weisz:** Shouldn't your language clarify that.

**Darin Meschke:** For consistency I wouldn't mind putting an amendment in there to strike the words on page 1, "irrespective of the duration of pregnancy." Then they would be more uniform. Within national model law, these under-20 weeks fetal deaths are not reported on a national level. They are under the term of "miscarriage." They are not reported as vital events.

**Chairman Weisz:** If we require a death certificate be issued at 15 weeks, how would that affect your database?

**Darin Meschke:** If we were forced to collect and register those events, we would be outside of the national scope. Those events would not be able to be reported to the national level. We would have to build into our system the exclusion of those events prior to us sending that data to the national level so they are not inappropriately reported.

**Rep. Fehr:** (6:15) I am on the registration part. Should this reference fetal death after the 20 weeks?

**Darin Meschke:** I would agree to an amendment that would strike the language "irrespective of the duration of pregnancy." So there isn't a conflict between that language and our determination at 20 weeks or more.

**Rep. Fehr:** But it still doesn't say after 20 weeks in the definition.

**Darin Meschke:** Not in the definition. It would so in Section 1-20 on page 7 under registration. It would be defined in that section that it has to be more than 20 weeks.

**Rep. Mooney:** On page 3 where we are adding within 5 days after birth the reporting requirement--we had quite a bit of testimony and emails. Where did the 5 days come from? Is that in fact a hardship?

**Darin Meschke:** The days that we put into the bill matches the 5-day requirements in subsection 2 of the birth registration chapter. The hospital has 5 days to inform us.

**Rep. Mooney:** Was that always there?

**Darin Meschke:** It is in current law now.

**Chairman Weisz:** It was changed to 30 days.

**Rep. Kiefert:** Page 3, line 30 we have the 5 days after birth outside of the institution so we added the 30 days in line 22?

**Chairman Weisz:** We added 30 in line 30.

**Rep. Kiefert** (9:44) The amendment here has it on line 22.

**Rep. Damschen:** We put it in the line above after "state registrar."

**Chairman Weisz:** We haven't adopted this sheet.

**Rep. Seibel:** Moved an amendment to strike the words on page 1, lines 23 & 24 "irrespective of the duration of pregnancy."

**Rep. Fehr:** Seconded the motion.

**Voice Vote taken. Motion carried.** (Corrected on January 26 on Job #22532)

**Rep. Damschen:** (12:14) The amendments distributed yesterday include p. 11 after line 15 to insert:

**Section 9. Application.**

I think that would satisfy the people that are emailing us.

**Rep. Fehr:** Is it your understanding that if we insert this Section 9, that the part on page 3, line 22 "prescribed by the state department of health" would also be an issue? We received a lot of emails that they don't like that statement. If this Section 9 is accepted, would they be okay with leaving in the other line?

**Rep. Damschen:** That is my understanding.

**Darin Meschke:** The forms they currently use, are those in question? The forms used in the hospital and the ones used at home are identical. We don't have an issue when a home birth is attended by a midwife. The midwives fill out the forms correctly. It is the home births that are unattended that require some additional documentation other than just the worksheets. All we have is their word for it. We don't even know if they were in the state at the time. There would be some additional forms or requirements for those types of births.

**Chairman Weisz:** With the language on page 3, #3, you would have the ability to require more information even with this Section 9 in the law?

**Darin Meschke:** I believe that is the intent of the law. We might add a form based on their suggestion. We do want to work with the home birthing community to make it as easy as possible to get a birth registered.

**Rep. Damschen:** Without that language, it doesn't say that there couldn't be additional forms added.

**Darin Meschke:** We don't oppose your amendment.

**Rep. Damschen:** There is a concern that they are going to be required to fill out a form that they can't get without seeing a physician.

**Darin Meschke:** That is why we want to work with the home-birth community.

**Rep. Damschen:** The amendments handed out yesterday do what we did before except for the last one we just discussed. They do have several occurrences where "individual" replaces "person." Do we want to do that?

**Chairman Weisz:** Legislative Council made those changes.

**Rep. Damschen:** (23:20) Moved to adopt the changes on page 3, line 26, 27, 28, and 30 where it changes "person" to "individual." Also adopt the amendment for page 11, after line 15 to insert Section 9 wording.

**Rep. Fehr:** Seconded the motion. (Corrected January 26 on Job #22532)

**Rep. Seibel:** Aren't lines 25 through 30 overstricken already on page 3?

**Chairman Weisz:** No we brought that back in.

**Darin Meschke:** There are dates specified in Section 9 where it says the dates on the forms. Those dates change based on the revision of the form. The intent is there if you take out those dates. I wouldn't want to be held to those dates because then I could never update my worksheets.

**Chairman Weisz:** (25:51) The amendment would strike (09-06-2012) & (01-01-2015) in new Section 9. Application.

**Voice Vote taken. Motion carried.**

**Rep. Oversen:** Moved Do Pass as amended.

**Rep. B. Anderson:** Seconded the motion

**Rep. Kiefert:** Did we change the monthly reporting?

**Darin Meschke:** The home birth people had a question regarding Section 8 on page 11 adding the word "birth" for the reporting. That applies only to hospitals & institutions.

**A Roll Call vote was taken: Yes 13, No 0, Absent 0.**

**Do Pass as amended carries.**

**Representative Oversen will carry the bill.**

# 2015 HOUSE STANDING COMMITTEE MINUTES

Human Services Committee  
Fort Union Room, State Capitol

HB1116  
1/26/2015  
22532

- Subcommittee  
 Conference Committee

Committee Clerk Signature



## Explanation or reason for introduction of bill/resolution:

Relating to the Health Statistics Act  
(Committee Action)

Minutes:

Attachment #1

**Chairman Weisz:** Let's take up HB 1116 and reconsider it.

**Rep. Hofstad:** Moved to reconsider

**Rep. Seibel:** Second the motion

**Voice Vote:** Motion carried.

**Chairman Weisz:** The reason the bill is in front of us is we made a motion to adopt amendments of page 3 where we changed it to 30 days on line 30. When I explained the motion I said line 23.

**Rep. Damschen:** Moved to remove amendments page 3, lines 22-30 and to eliminate the new Section 9. Take out all previous amendments.

**Rep. D. Anderson:** Seconded the motion.

**Voice Vote taken.** Motion carried.

**Rep. Damschen:** Moved to change "person" to "individual" on page 3, line 26, 27, 28, and line 30. Also on line 22 after the comma insert "within thirty days of the birth." Remove the overstrikes from Lines 23-30. Remove "within five days after the birth." Add a Section 9 as printed on amendment #15.8059.01001 except that we eliminate the dates on the parent's worksheet and birth certificate. (Attachment #1)

**Rep. Fehr:** Seconded the motion.

**Voice Vote taken.** Motion carried.

**Rep. Seibel:** Moved Do Pass as amended

**Rep. Mooney:** Seconded the motion.

**A Roll Call vote was taken: Yes 12, No 0, Absent 1.**

Do Pass as amended carries.

**Representative Oversen** will carry the bill.

# 2015 HOUSE STANDING COMMITTEE MINUTES

Human Services Committee  
Fort Union Room, State Capitol

HB 1116  
2/2/2015  
Job #23032

- Subcommittee  
 Conference Committee

Committee Clerk Signature

*Vicky Crabtree*

## Explanation or reason for introduction of bill/resolution:

Relating to Health Statistics Act.

## Minutes:

The committee looked at HB 1116

Rep. Porter: I move that we reconsider our actions whereby we passed out HB 1116.

Rep. Damschen: Second.

VOICE VOTE: MOTION CARRIED

Chairman Weisz: After I signed off on the bill the Health Dept. came to me and said there were some problems on it. On page 4 they are asking to take out the new language and put back in the old language.

Rep. Mooney: Did they say why?

Chairman Weisz: It's related to on page 3 where we removed the overstrike and put that back in. They thought when we did that, we needed to put the old language back in on page 4. We will get Darin from the Health Dept. to come down tomorrow and explain it.

# 2015 HOUSE STANDING COMMITTEE MINUTES

**Human Services Committee**  
Fort Union Room, State Capitol

HB 1116  
2/3/2015  
Job #23121

- Subcommittee  
 Conference Committee

Committee Clerk Signature



## Explanation or reason for introduction of bill/resolution:

Relating to the Health Statistics Act.

## Minutes:

Chairman Weisz took up HB 1116.

Chairman Weisz: I gave you amendments that the Department of Health will explain.

Darin Meschke: Director of Vital Records and State Registrar with the Dept. of Health. The amendment we asked for in my original testimony on page 4 of the bill under subsection 5 starting on line 8 we found out through DHS that the language conflicts with Chapter 14 - 20 which is the paternity chapter. We would like the lines 9-13 be removed from the amendment and the lines that are overstruck "the presumption of paternity has been rebutted by a court decree" be reinstated and go back to original language and current law.

Chairman Weisz: The conflict comes into the adoption?

Meschke: It comes in the paternity.

Rep. Oversen: The section B on lines 25-28, is that still ok?

Meschke: That is clarifying language.

Rep. Porter: I move we further amend HB 1116 on page 4 removing the overstrike on line 7 and 8 and removing lines 9-13

Rep. Seibel: Second.

Voice Vote: MOTION CARRIED

Rep. Hofstad: I move a Do Pass as amended on HB 1116.

Rep. Fehr: Second.

House Human Services Committee  
HB 1116  
February 3, 2013  
Page 2

ROLL CALL: 13 y 0 n 0 absent

MOTION CARRIED

Bill Carrier Rep. Oversen.

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1116

Page 1, line 3, after "Act" insert "; and to provide for application"

Page 3, line 22, after the comma insert "within thirty days of the birth,"

Page 3, line 23, remove the overstrike over "~~by one of the~~"

Page 3, remove the overstrike over line 24

Page 3, remove the overstrike over line 25

Page 3, line 26, remove the overstrike over "such"

Page 3, line 26, after "~~person~~" insert "an individual"

Page 3, line 26, remove the overstrike over the semicolon

Page 3, line 27, remove the overstrike over "~~b. — Any other~~"

Page 3, line 27, after "~~person~~" insert "individual"

Page 3, line 27, remove the overstrike over "~~in attendance at or immediately after the birth, or  
in the~~"

Page 3, line 28, remove the overstrike over "~~absence of such~~"

Page 3, line 28, after "~~person~~" insert "an individual"

Page 3, line 28, remove the overstrike over ";~~or~~"

Page 3, remove the overstrike over line 29

Page 3, line 30, remove the overstrike over "~~mother, the~~"

Page 3, line 30, after "~~person~~" insert "individual"

Page 3, line 30, remove the overstrike over "~~in charge of the premises where the birth  
occurred~~"

Page 11, after line 15, insert:

**"SECTION 9. APPLICATION.** Under subsection 3 of section 23-02.1-13, the state department of health shall use forms that are substantially similar to the department's forms North Dakota parent's worksheet (09-06-2012) and certifier's worksheet for completing the North Dakota birth certificate (01-01-2015)."

Renumber accordingly

January 26, 2015

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1116

Page 1, line 2, after "23-02.1-30" insert "of the North Dakota Century Code,"

Page 1, line 3, after "Act" insert "; and to provide for application"

Page 1, line 23, overstrike "irrespective"

Page 1, line 24, overstrike "of the duration of pregnancy;"

Page 3, line 23, after "registrar" insert ", within thirty days of the birth,"

Page 3, line 23, remove the overstrike over "~~by one of the~~"

Page 3, remove the overstrike over line 24

Page 3, remove the overstrike over line 25

Page 3, line 26, remove the overstrike over "~~such~~"

Page 3, line 26, after "~~person~~" insert "an individual"

Page 3, line 26, remove the overstrike over the overstruck semicolon

Page 3, line 27, remove the overstrike over "~~b. — Any other~~"

Page 3, line 27, after "~~person~~" insert "individual"

Page 3, line 27, remove the overstrike over "~~in attendance at or immediately after the birth, or in the~~"

Page 3, line 28, remove the overstrike over "~~absence of such~~"

Page 3, line 28, after "~~person~~" insert "an individual"

Page 3, line 28, remove the overstrike over "~~; or~~"

Page 3, remove the overstrike over line 29

Page 3, line 30, remove the overstrike over "~~mother, the~~"

Page 3, line 30, after "~~person~~" insert "individual"

Page 3, line 30, remove the overstrike over "~~in charge of the premises where the birth occurred~~"

Page 3, line 30, remove "within five"

Page 3, line 31, remove "days after the birth"

Page 11, after line 15, insert:

**"SECTION 9. APPLICATION.** Under subsection 3 of section 23-02.1-13, the state department of health shall use forms that are substantially similar to the department's North Dakota parent's worksheet and certifier's worksheet for completing the North Dakota birth certificate."

Renumber accordingly

72

February 4, 2015

SR  
1/22/2  
2-4-15

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1116

- Page 1, line 2, after "23-02.1-30" insert "of the North Dakota Century Code,"
- Page 1, line 3, after "Act" insert "; and to provide for application"
- Page 1, line 23, overstrike "irrespective"
- Page 1, line 24, overstrike "of the duration of pregnancy;"
- Page 3, line 23, after "registrar" insert ", within thirty days of the birth"
- Page 3, line 23, remove the overstrike over "~~by one of the~~"
- Page 3, remove the overstrike over lines 24 and 25
- Page 3, line 26, remove the overstrike over "~~such~~"
- Page 3, line 26, after "~~person~~" insert "an individual"
- Page 3, line 26, remove the overstrike over the semicolon
- Page 3, line 27, remove the overstrike over "~~b. — Any other~~"
- Page 3, line 27, after "~~person~~" insert "individual"
- Page 3, line 27, remove the overstrike over "~~in attendance at or immediately after the birth, or in the~~"
- Page 3, line 28, remove the overstrike over "~~absence of such~~"
- Page 3, line 28, after "~~person~~" insert "an individual"
- Page 3, line 28, remove the overstrike over "~~or~~"
- Page 3, line 29, remove the overstrike over line 29
- Page 3, line 30, remove the overstrike over "~~mother, the~~"
- Page 3, line 30, after "~~person~~" insert "individual"
- Page 3, line 30, remove the overstrike over "~~in charge of the premises where the birth occurred~~"
- Page 3, line 30, remove "within five"
- Page 3, line 31, remove "days after the birth"
- Page 4, line 7, remove the overstrike over "~~the presumption of~~"
- Page 4, line 8, remove the overstrike over "~~paternity has been rebutted by a court decree~~"
- Page 4, line 8, remove the colon
- Page 4, remove lines 9 through 12
- Page 4, line 13, remove "and biological father, and filed with the state registrar"

Page 11, after line 15, insert:

**"SECTION 9. APPLICATION.** Under subsection 3 of section 23-02.1-13, the state department of health shall use forms that are substantially similar to the department's North Dakota parent's worksheet and certifier's worksheet for completing the North Dakota birth certificate."



Renumber accordingly

Date: 1-14-15  
Roll Call Vote #: 1

2015 HOUSE STANDING COMMITTEE  
ROLL CALL VOTES 1116  
BILL/RESOLUTION NO.

House Human Services Committee

Subcommittee

Amendment LC# or Description: \_\_\_\_\_

Recommendation:  Adopt Amendment  
 Do Pass     Do Not Pass     Without Committee Recommendation  
 As Amended     Rerefer to Appropriations  
 Place on Consent Calendar  
Other Actions:  Reconsider     \_\_\_\_\_

Motion Made By Rep. Hofstad Seconded By Rep. Fehr

Representatives	Yes	No	Representatives	Yes	No
Chairman Weisz			Rep. Mooney		
Vice-Chair Hofstad			Rep. Muscha		
Rep. Bert Anderson			Rep. Oversen		
Rep. Dick Anderson					
Rep. Rich S. Becker					
Rep. Damschen					
Rep. Fehr					
Rep. Kiefert					
Rep. Porter					
Rep. Seibel					

Total (Yes) \_\_\_\_\_ No \_\_\_\_\_

Absent \_\_\_\_\_

Floor Assignment \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent:

*Roll Call  
Vote  
Motion  
Carried*

*To remove the overstrike on page 3, lines  
23-30 and change the 5 days to 30 days  
after birth.*

**2015 HOUSE STANDING COMMITTEE  
ROLL CALL VOTES  
BILL/RESOLUTION NO. 1116**

House Human Services Committee

Subcommittee

Amendment LC# or Description: \_\_\_\_\_

Recommendation:  Adopt Amendment  
 Do Pass     Do Not Pass     Without Committee Recommendation  
 As Amended     Rerefer to Appropriations  
 Place on Consent Calendar

Other Actions:  Reconsider  \_\_\_\_\_

Motion Made By Rep. Seibel Seconded By Rep. Fehr

Representatives	Yes	No	Representatives	Yes	No
Chairman Weisz			Rep. Mooney		
Vice-Chair Hofstad			Rep. Muscha		
Rep. Bert Anderson			Rep. Oversen		
Rep. Dick Anderson					
Rep. Rich S. Becker					
Rep. Damschen					
Rep. Fehr					
Rep. Kiefert					
Rep. Porter					
Rep. Seibel					

*voice vote carried*

*voice motion*

Total (Yes) \_\_\_\_\_ No \_\_\_\_\_

Absent \_\_\_\_\_

Floor Assignment \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent:

**Page 1, lines 23 & 24  
Strike "irrespective of the duration of pregnancy"**

**2015 HOUSE STANDING COMMITTEE  
 ROLL CALL VOTES  
 BILL/RESOLUTION NO. 1116**

House Human Services Committee

Subcommittee

Amendment LC# or Description: \_\_\_\_\_

- Recommendation:  Adopt Amendment  
 Do Pass     Do Not Pass     Without Committee Recommendation  
 As Amended     Rerefer to Appropriations  
 Place on Consent Calendar  
 Other Actions:     Reconsider     \_\_\_\_\_

Motion Made By Rep. Damschen Seconded By Rep. Fehr

Representatives	Yes	No	Representatives	Yes	No
Chairman Weisz			Rep. Mooney		
Vice-Chair Hofstad			Rep. Muscha		
Rep. Bert Anderson			Rep. Oversen		
Rep. Dick Anderson					
Rep. Rich S. Becker					
Rep. Damschen					
Rep. Fehr					
Rep. Kiefert					
Rep. Porter					
Rep. Seibel					

*Voice Vote Carried*  
*Voice Motion*

Total (Yes) \_\_\_\_\_ No \_\_\_\_\_

Absent \_\_\_\_\_

Floor Assignment \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent:  
**Page 3, line 26, 27, 28, and 30 where it changes "person" to "individual." Also adopt the amendment for page 11, after line 15 to insert Section 9 wording.**

Date: 1-20-15  
Roll Call Vote #: 3

2015 HOUSE STANDING COMMITTEE  
ROLL CALL VOTES  
BILL/RESOLUTION NO. 1116

House Human Services Committee

Subcommittee

Amendment LC# or Description: \_\_\_\_\_

Recommendation:  Adopt Amendment  
 Do Pass  Do Not Pass  Without Committee Recommendation  
 As Amended  Rerefer to Appropriations  
 Place on Consent Calendar  
Other Actions:  Reconsider  \_\_\_\_\_

Motion Made By Rep. Oversen Seconded By Rep. B. Anderson

Representatives	Yes	No	Representatives	Yes	No
Chairman Weisz	✓		Rep. Mooney	✓	
Vice-Chair Hofstad	✓		Rep. Muscha	✓	
Rep. Bert Anderson	✓		Rep. Oversen	✓	
Rep. Dick Anderson	✓				
Rep. Rich S. Becker	✓				
Rep. Damschen	✓				
Rep. Fehr	✓				
Rep. Kiefert	✓				
Rep. Porter	✓				
Rep. Seibel	✓				

Total (Yes) 13 No 0

Absent 0

Floor Assignment Rep. Oversen

If the vote is on an amendment, briefly indicate intent:

Date: 1-26-15  
Roll Call Vote #: 1

2015 HOUSE STANDING COMMITTEE  
ROLL CALL VOTES  
BILL/RESOLUTION NO. 1116

House Human Services Committee

Subcommittee

Amendment LC# or Description: \_\_\_\_\_

Recommendation:  Adopt Amendment  
 Do Pass  Do Not Pass  Without Committee Recommendation  
 As Amended  Rerefer to Appropriations  
 Place on Consent Calendar  
Other Actions:  Reconsider  \_\_\_\_\_

Motion Made By Rep. Hofstad Seconded By Rep. Seibel

Representatives	Yes	No	Representatives	Yes	No
Chairman Weisz			Rep. Mooney		
Vice-Chair Hofstad			Rep. Muscha		
Rep. Bert Anderson			Rep. Oversen		
Rep. Dick Anderson					
Rep. Rich S. Becker					
Rep. Damschen					
Rep. Fehr					
Rep. Kiefert					
Rep. Porter					
Rep. Seibel					

Total (Yes) \_\_\_\_\_ No \_\_\_\_\_

Absent \_\_\_\_\_

Floor Assignment \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent:  
*Voice vote motion Carried*

**2015 HOUSE STANDING COMMITTEE  
 ROLL CALL VOTES  
 BILL/RESOLUTION NO. 1116**

House Human Services Committee

Subcommittee

Amendment LC# or Description: \_\_\_\_\_

- Recommendation:  Adopt Amendment  
 Do Pass     Do Not Pass     Without Committee Recommendation  
 As Amended     Rerefer to Appropriations  
 Place on Consent Calendar
- Other Actions:  Reconsider     Remove amendments

Motion Made By Rep. Damschen Seconded By Rep. D. Anderson

Representatives	Yes	No	Representatives	Yes	No
Chairman Weisz			Rep. Mooney		
Vice-Chair Hofstad			Rep. Muscha		
Rep. Bert Anderson			Rep. Oversen		
Rep. Dick Anderson					
Rep. Rich S. Becker					
Rep. Damschen					
Rep. Fehr					
Rep. Kiefert					
Rep. Porter					
Rep. Seibel					

*Vote*  
*Motion Carried*

Total (Yes) \_\_\_\_\_ No \_\_\_\_\_

Absent \_\_\_\_\_

Floor Assignment \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent:

**Remove all previous amendments**

**2015 HOUSE STANDING COMMITTEE  
 ROLL CALL VOTES  
 BILL/RESOLUTION NO. 1116**

House Human Services Committee

Subcommittee

Amendment LC# or Description: \_\_\_\_\_

Recommendation:  Adopt Amendment  
 Do Pass     Do Not Pass     Without Committee Recommendation  
 As Amended     Rerefer to Appropriations  
 Place on Consent Calendar  
 Other Actions:  Reconsider     \_\_\_\_\_

Motion Made By Rep. Damschen Seconded By Rep. Fehr

Representatives	Yes	No	Representatives	Yes	No
Chairman Weisz			Rep. Mooney		
Vice-Chair Hofstad			Rep. Muscha		
Rep. Bert Anderson			Rep. Oversen		
Rep. Dick Anderson					
Rep. Rich S. Becker					
Rep. Damschen					
Rep. Fehr					
Rep. Kiefert					
Rep. Porter					
Rep. Seibel					

*Handwritten in table:* Voice Vote, Motion Carried

Total (Yes) \_\_\_\_\_ No \_\_\_\_\_

Absent \_\_\_\_\_

Floor Assignment \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent:  
**Change "person" to "individual" on page 3, line 26, 27, 28, and line 30. Also on line 22 after the comma insert "within thirty days of the birth." Remove the overstrikes from Lines 23-30. Remove "within five days after the birth." Add a Section 9 as printed on amendment #15.8059.01001 except that we eliminate the dates on the parent's worksheet and birth certificate.**

Date: 1-26-15  
 Roll Call Vote #: 4

**2015 HOUSE STANDING COMMITTEE  
 ROLL CALL VOTES  
 BILL/RESOLUTION NO. 1116**

House Human Services Committee

Subcommittee

Amendment LC# or Description: 15.8059.01003

Recommendation:  Adopt Amendment  
 Do Pass  Do Not Pass  Without Committee Recommendation  
 As Amended  Rerefer to Appropriations  
 Place on Consent Calendar  
 Other Actions:  Reconsider  \_\_\_\_\_

Motion Made By Rep. Seibel Seconded By Rep. Mooney

Representatives	Yes	No	Representatives	Yes	No
Chairman Weisz	✓		Rep. Mooney	✓	
Vice-Chair Hofstad	✓		Rep. Muscha	✓	
Rep. Bert Anderson	✓		Rep. Oversen	✓	
Rep. Dick Anderson	A				
Rep. Rich S. Becker					
Rep. Damschen	✓				
Rep. Fehr	✓				
Rep. Kiefert	✓				
Rep. Porter	✓				
Rep. Seibel	✓				

Total (Yes) 12 No 0

Absent 1

Floor Assignment Oversen

If the vote is on an amendment, briefly indicate intent:

Date: 2-2-15  
 Roll Call Vote #: 1

**2015 HOUSE STANDING COMMITTEE  
 ROLL CALL VOTES  
 BILL/RESOLUTION NO. 1116**

House Human Services Committee

Subcommittee

Amendment LC# or Description: \_\_\_\_\_

Recommendation:  Adopt Amendment  
 Do Pass     Do Not Pass     Without Committee Recommendation  
 As Amended     Rerefer to Appropriations  
 Place on Consent Calendar

Other Actions:  Reconsider     \_\_\_\_\_

Motion Made By Rep. Porter    Seconded By Rep. Damschen

Representatives	Yes	No	Representatives	Yes	No
Chairman Weisz			Rep. Mooney		
Vice-Chair Hofstad			Rep. Muscha		
Rep. Bert Anderson			Rep. Oversen		
Rep. Dick Anderson					
Rep. Rich S. Becker					
Rep. Damschen					
Rep. Fehr					
Rep. Kiefert					
Rep. Porter					
Rep. Seibel					

*Vote*  
*MOTION CARRIED*

Total (Yes) \_\_\_\_\_ No \_\_\_\_\_

Absent \_\_\_\_\_

Floor Assignment \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent:

Date: 2-3-15  
Roll Call Vote #: 1

2015 HOUSE STANDING COMMITTEE  
ROLL CALL VOTES  
BILL/RESOLUTION NO. 1116

House Human Services Committee

Subcommittee

Amendment LC# or Description: see bottom for description

Recommendation:  Adopt Amendment  
 Do Pass     Do Not Pass     Without Committee Recommendation  
 As Amended     Rerefer to Appropriations  
 Place on Consent Calendar  
Other Actions:  Reconsider     \_\_\_\_\_

Motion Made By Rep. Porter Seconded By Rep. Seibel

Representatives	Yes	No	Representatives	Yes	No
Chairman Weisz			Rep. Mooney		
Vice-Chair Hofstad			Rep. Muscha		
Rep. Bert Anderson			Rep. Oversen		
Rep. Dick Anderson					
Rep. Rich S. Becker					
Rep. Damschen					
Rep. Fehr					
Rep. Kiefert					
Rep. Porter					
Rep. Seibel					

*Roll Call Motion Carried*

Total (Yes) \_\_\_\_\_ No \_\_\_\_\_

Absent \_\_\_\_\_

Floor Assignment \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent:

*on page 4 Remove overstrike one lines 7 & 8  
and remove lines 9-13*

Date: 2-3-15  
Roll Call Vote #: 2

2015 HOUSE STANDING COMMITTEE  
ROLL CALL VOTES  
BILL/RESOLUTION NO. 1116

House Human Services Committee

Subcommittee

Amendment LC# or Description: no amendment see bottom for description

Recommendation:  Adopt Amendment  
 Do Pass  Do Not Pass  Without Committee Recommendation  
 As Amended  Rerefer to Appropriations  
 Place on Consent Calendar  
Other Actions:  Reconsider  \_\_\_\_\_

Motion Made By Rep. Hofstad Seconded By Rep. Fehr

Representatives	Yes	No	Representatives	Yes	No
Chairman Weisz	✓		Rep. Mooney	✓	
Vice-Chair Hofstad	✓		Rep. Muscha	✓	
Rep. Bert Anderson	✓		Rep. Oversen	✓	
Rep. Dick Anderson	✓				
Rep. Rich S. Becker	✓				
Rep. Damschen	✓				
Rep. Fehr	✓				
Rep. Kiefert	✓				
Rep. Porter	✓				
Rep. Seibel	✓				

Total (Yes) 13 No 0

Absent 0

Floor Assignment Rep. oversen

If the vote is on an amendment, briefly indicate intent:  
on page 4 remove overstrike on lines 7 & 8 and remove lines 9-13

**REPORT OF STANDING COMMITTEE**

**HB 1116: Human Services Committee (Rep. Weisz, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1116 was placed on the Sixth order on the calendar.

Page 1, line 2, after "23-02.1-30" insert "of the North Dakota Century Code,"

Page 1, line 3, after "Act" insert "; and to provide for application"

Page 1, line 23, overstrike "irrespective"

Page 1, line 24, overstrike "of the duration of pregnancy;"

Page 3, line 23, after "registrar" insert ", within thirty days of the birth,"

Page 3, line 23, remove the overstrike over "~~by one of the~~"

Page 3, remove the overstrike over line 24

Page 3, remove the overstrike over line 25

Page 3, line 26, remove the overstrike over "~~such~~"

Page 3, line 26, after "~~person~~" insert "an individual"

Page 3, line 26, remove the overstrike over the overstruck semicolon

Page 3, line 27, remove the overstrike over "~~b. Any other~~"

Page 3, line 27, after "~~person~~" insert "individual"

Page 3, line 27, remove the overstrike over "~~in attendance at or immediately after the birth, or in the~~"

Page 3, line 28, remove the overstrike over "~~absence of such~~"

Page 3, line 28, after "~~person~~" insert "an individual"

Page 3, line 28, remove the overstrike over "~~or~~"

Page 3, remove the overstrike over line 29

Page 3, line 30, remove the overstrike over "~~mother, the~~"

Page 3, line 30, after "~~person~~" insert "individual"

Page 3, line 30, remove the overstrike over "~~in charge of the premises where the birth occurred~~"

Page 3, line 30, remove "within five"

Page 3, line 31, remove "days after the birth"

Page 11, after line 15, insert:

**"SECTION 9. APPLICATION.** Under subsection 3 of section 23-02.1-13, the state department of health shall use forms that are substantially similar to the department's North Dakota parent's worksheet and certifier's worksheet for completing the North Dakota birth certificate."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1116: Human Services Committee (Rep. Weisz, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1116 was placed on the Sixth order on the calendar.

Page 1, line 2, after "23-02.1-30" insert "of the North Dakota Century Code,"

Page 1, line 3, after "Act" insert "; and to provide for application"

Page 1, line 23, overstrike "irrespective"

Page 1, line 24, overstrike "of the duration of pregnancy;"

Page 3, line 23, after "registrar" insert ", within thirty days of the birth"

Page 3, line 23, remove the overstrike over "~~by one of the~~"

Page 3, remove the overstrike over lines 24 and 25

Page 3, line 26, remove the overstrike over "~~such~~"

Page 3, line 26, after "~~person~~" insert "an individual"

Page 3, line 26, remove the overstrike over the semicolon

Page 3, line 27, remove the overstrike over "~~b. Any other~~"

Page 3, line 27, after "~~person~~" insert "individual"

Page 3, line 27, remove the overstrike over "~~in attendance at or immediately after the birth,  
or in the~~"

Page 3, line 28, remove the overstrike over "~~absence of such~~"

Page 3, line 28, after "~~person~~" insert "an individual"

Page 3, line 28, remove the overstrike over "~~;- or~~"

Page 3, line 29, remove the overstrike over line 29

Page 3, line 30, remove the overstrike over "~~mother, the~~"

Page 3, line 30, after "~~person~~" insert "individual"

Page 3, line 30, remove the overstrike over "~~in charge of the premises where the birth  
occurred~~"

Page 3, line 30, remove "within five"

Page 3, line 31, remove "days after the birth"

Page 4, line 7, remove the overstrike over "~~the presumption of~~"

Page 4, line 8, remove the overstrike over "~~paternity has been rebutted by a court decree~~"

Page 4, line 8, remove the colon

Page 4, remove lines 9 through 12

Page 4, line 13, remove "and biological father, and filed with the state registrar"

Page 11, after line 15, insert:

**"SECTION 9. APPLICATION.** Under subsection 3 of section 23-02.1-13, the state department of health shall use forms that are substantially similar to the department's North Dakota parent's worksheet and certifier's worksheet for completing the North Dakota birth certificate."

Renumber accordingly

**2015 SENATE HUMAN SERVICES**

**HB 1116**

# 2015 SENATE STANDING COMMITTEE MINUTES

Human Services Committee  
Red River Room, State Capitol

HB 1116  
3/23/2015  
25242

- Subcommittee  
 Conference Committee

Committee Clerk Signature

*Donald Mueller*

## Explanation or reason for introduction of bill/resolution:

A bill relating to the Health Statistics Act

## Minutes:

Attach #1: Testimony by Darin Meschke

**Darin Meschke**, State Registrar and Director of the North Dakota Department of Health's Division of Vital Records, introduced HB 1116 to the Senate Human Services Committee. (attach #1) (testimony stopped by question at 3:57)

**Senator Warner** asked if there is a penalty to not register a birth off of hospital premises.

**Mr. Meschke** answered the only penalty is an infraction. If a birth isn't registered by a family with a home birth, there is a delayed registration process where they can go through later. We don't find them, but we help register them later in the event that they didn't do it right after the birth.

**Senator Warner** asked if there would be any implications for something like selective service - it is way down the road, but if someone choose not to have their child not registered and off the grid.

**Mr. Meschke** stated it does happen. Typically when a birth is not registered until later in life is because of events like that - they want to get a driver's license or go to college, or they have to register for selective service. In those cases, we do a delayed registration much later in life.

**Mr. Meschke** continued his testimony (5:40-15:15)

**Senator Howard Anderson, Jr.** asked when you get a request to change a record from a person or from court, do you keep that change request connected with the record.

**Mr. Meschke** responded yes, it is scanned into the system and it becomes part of the record. We keep the original birth record, the updated record, and any documentation that goes with the change.

**Senator Howard Anderson, Jr.** asked for an explanation regarding the redundancy that you have in your system so we don't lose those records.

**Mr. Meschke** explained the information the division has on all paper records have been microfilmed or scanned, so there is imaged backup of all documents that pertain to a birth, death, or fetal death record. These are the backup to the original document, so we can still get an imaged copy of the original documents.

**Senator Howard Anderson, Jr.** asked what about the electronic storage? Do you have two offsite locations for where these records are stored?

**Mr. Meschke** explained that the Information Technology Department (ITD) handles the electronic system, and it is backed up every day, and backups are stored offsite.

**Senator Warner** commented that this is the 04000 version, and House made a change that you acquiesced to. Are there any areas of concern that may have been changed that is not the original intent?

**Mr. Meschke** we are fairly happy with the 04000 version. They worked well with the House and those that had concerns with the bill.

**V. Chairman Oley Larsen** commented on page 3, line 22 and line 23, the institution is going to require some forms, and you had indicated this should not be an encroachment on home births. What kind of forms are required today for home births?

**Mr. Meschke** answered that currently, the same birth forms that are used in the facilities, as well as affidavits. There may be additional forms in the future, as we need to validate the three birth facts - that the baby was born alive, that the mother was pregnant, and that the birth did occur in North Dakota. If a home birth is attended by a lay-midwife, those are the forms that we require, as the midwife is the third person who attended the birth. They do a great job of filing those forms with the office. It is the births that occur outside an institution where there is only the Mom and the Dad present that we have concerns with. They may need to provide some additional information to make sure that they have a home in North Dakota, which may be evidence provided by an electric bill that has the residence. If someone other than the Mom and Dad can testify that the mom was pregnant, and that the baby was born alive. This should not be an added burden to provide the information to their office.

**V. Chairman Oley Larsen** continued - if they didn't have a midwife, couldn't they use the same forms and have them notarized, or will there be additional forms?

**Mr. Meschke** stated we are working with home birth community to go through a process of what additional forms may be required. We haven't set that process up. We wanted to get through the legislative process first and then work with that community to determine what additional forms were needed.

**Chairman Judy Lee** asked for clarification that if it is just the parents at the birth, there should be a third party that can verify the three questions.

**Mr. Meschke** confirmed yes.

OPPOSITION to HB 1116

**Donna Henderson**, representing Homebirth Freedom North Dakota, requested clarification. Our concern is page 3, line 22, 23, adding the words "prescribed by the state department of health; our question has always been that does that give the Department of Health the ability to do the changes in the future that may be egregious to us, or is that a process that we can go through later. In the last session, SB 2063, some of the requirements were very egregious. For unattended births, where it is just the Mom and Dad, and we have some, we don't always want a third party present. The majority have a midwife. The documentation discussed in the last session required that someone had to be at or immediately after the birth who is not related to the mother or father to document this. It is usually someone who is a relative if they do not have a midwife. As long as a relative could confirm the birth, we have no problem with the provision. But we don't believe the state should order us to have a stranger come into the privacy of our homes and document - that is an invasion of privacy. So if she can get assurances that the phrase is intending, she can support the bill. Their group also worked closely with the House and they worked well with them. We asked for them to list the forms that were prescribed. We were told they could not do that to the bill, but they did add Section 9 application. It states, on page 11, section 9, "the department shall use the forms similar to the department's worksheet and certifier's worksheet."

**Senator Howard Anderson, Jr.** made the comment that the only reason the state is interested in getting documentation is that we don't want a third party person taking the baby and calling it their own.

**Ms. Henderson** confirms she understands that. She then stated she has a copy of the parent's worksheet and certifier's worksheet, and they are very specific. They provide a lot of information. The parent's sign that the information is true. There has not been one case of fraud or supposed fraud reported. There is not a problem out there, and if there is, if the parent's fraudulently filled out the documents and signed their name, then you have all the evidence to prosecute that situation. There are other laws in place for that.

**Chairman Judy Lee** voiced her concern of why it would be so unacceptable to fill out a form that describes the circumstances of the birth that is outside of an institution and not attended by a midwife. There are so many reasons to make sure this is properly recorded for a variety of more business-like reasons as well as other purposes as time goes by.

**Ms. Henderson** responded that she doesn't know anyone in her association that does not get birth certificates. We believe our births should be registered. Without them, you cannot get a social security card, child can't go through hunter safety programs, and they can't get a driver's license. But those of us who want births at home with just Mom and Dad, sometimes Dad may be a doctor, we don't feel there needs to be another person as a witness. These people usually have a backup plan. It is not an issue of safety, but an issue of privacy. We don't have any problem certifying births - but any further documentation to certify it should be someone who is in my home, which may be a relative.

**Chairman Judy Lee** commented that if there is a required affidavit that a Mom was pregnant, there should be someone outside the home who should be able to provide that during her pregnancy.

**Ms. Henderson** stated that you may not want that person in the home at the time of the birth or immediately after the birth.

**Chairman Judy Lee** asked for clarification from Mr. Meschke. She wanted clarification that the questions that asked to be answered don't have to be answered by someone in the room at the time of the delivery.

**Mr. Meschke** confirmed that is correct. The assurances that the home birth group is asking for, we are going to work with them. That is why we didn't convene the group prior to the session. We are giving them the assurances this will happen after the session. These forms are going to be written into administrative code, and as that happens, they will provide input so we don't do it outside of their knowledge. This is an open process.

**Chairman Judy Lee** continued that the administrative rules committee will hold public hearing at which if there is still a concern, they could be expressed.

**Mr. Meschke** confirmed yes.

**Ms. Henderson** indicated that she has copies of the drafts that were going to go in the administrative rules in the last session, and these were very egregious to us. If this gives us the ability to have open comment, we are not opposed.

**Chairman Judy Lee** explained objections to the forms in the last rules are not in place because of the objections and the process. If they are going to work with you to put this together, and they have to go through the administrative rules process, and you have the opportunity to protest again, that is an open process.

**Ms. Henderson** agreed, and we were happy with how the bill came out of the House. We did not oppose the bill because we believed we had it covered. But there were comments made on the House floor that made us question if we were correct in assuming that some of this may not be added in.

**Chairman Judy Lee** asked if she believes she has that assurance, and Ms. Henderson confirmed yes. Chairman Judy Lee stated that Mr. Meschke has stated he wants to work with your group.

**Senator Dever** went through the history of the bill in the House.

NEUTRAL to HB 1116

No Neutral testimony was given for HB 1116.

**Chairman Judy Lee** closed the public hearing for HB 1116.

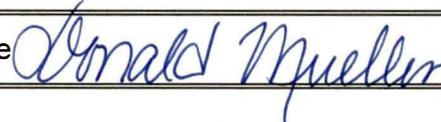
# 2015 SENATE STANDING COMMITTEE MINUTES

**Human Services Committee**  
Red River Room, State Capitol

HB 1116  
3/23/2015  
25282

- Subcommittee  
 Conference Committee

Committee Clerk Signature



## Explanation or reason for introduction of bill/resolution:

A bill relating to the Health Statistics Act

## Minutes:

No attachments

**Senator Howard Anderson, Jr.** believes the person who testified with concerns had her concerns resolved by the public discussion at the testimony.

**Senator Axness** thought Darin Meschke wanted to go back to the original language on page 7. The committee discussed and agreed that Mr. Meschke indicated in his testimony that he supported the current bill as written.

**Senator Dever** discussed the history of related bills in the past sessions, and how things can be accomplished in administrative rule.

**Senator Howard Anderson, Jr.** moved DO PASS for HB 1116. The motion was seconded by **Senator Warner**.

## Discussion

**V. Chairman Oley Larsen** commented that the concern by Ms. Henderson, she wanted that struck out "prescribed by the state." But then she recognized the Section 9, which answered her question, and she seemed semi-comfortable. He wasn't sure about requesting a form to determine residency - such as electric bill.

## Roll Call Vote to DO PASS

6 Yes, 0 No, 0 Absent. Motion passes.

**Chairman Judy Lee** will carry HB 1116 to the floor.

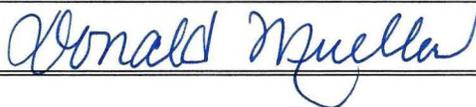
# 2015 SENATE STANDING COMMITTEE MINUTES

Human Services Committee  
Red River Room, State Capitol

HB 1116  
3/25/2015  
25424

- Subcommittee  
 Conference Committee

Committee Clerk Signature



## Explanation or reason for introduction of bill/resolution:

A bill relating to the Health Statistics Act

## Minutes:

Attach #1: proposed amendment

The Senate Human Services Committee met on March 25, 2015 to reconsider HB 1116.

A proposed amendment was distributed (attach #1) that changes the term "persons" to "individuals" and other clean up language from the legislative council.

**V. Chairman Oley Larsen** moved to RECONSIDER HB 1116. The motion was seconded by **Senator Howard Anderson, Jr.**

### Roll Call Vote

Voice Vote all in favor. Motion passes.

**V. Chairman Oley Larsen** moved ADOPT AMENDMENT to address person to individual. The motion was seconded by **Senator Axness**. No Discussion.

### Roll Call Vote

6 Yes, 0 No, 0 Absent. Motion passes.

**V. Chairman Oley Larsen** moved a DO PASS for HB 1116 AS AMENDED. The motion was seconded by **Senator Axness**. No Discussion.

### Roll Call Vote

6 Yes, 0 No, 0 Absent. Motion passes.

**Chairman Judy Lee** will carry HB 1116 to the floor.

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1116

- Page 1, line 10, overstrike "who" and insert immediately thereafter "that"
- Page 1, line 14, overstrike "that" and insert immediately thereafter "which"
- Page 1, line 21, overstrike "a"
- Page 1, line 22, overstrike "person's" and insert immediately thereafter "an individual's"
- Page 1, line 23, overstrike "prior to" and insert immediately thereafter "occurring before"
- Page 1, line 24, overstrike the comma
- Page 2, line 1, overstrike the first "the" and insert immediately thereafter ". The"
- Page 2, line 15, overstrike "persons" and insert immediately thereafter "individuals"
- Page 2, line 22, overstrike "a person's" and insert immediately thereafter "an individual's"
- Page 2, line 26, overstrike "a person" and insert immediately thereafter "an individual"
- Page 2, line 27, overstrike "pursuant to" and insert immediately thereafter "under"
- Page 3, line 1, overstrike "a person's" and insert immediately thereafter "an individual's"
- Page 3, line 4, overstrike "person" and insert immediately thereafter "individual"
- Page 5, line 2, overstrike "a person" and insert immediately thereafter "an individual"
- Page 5, line 7, overstrike "their" and insert immediately thereafter "the"
- Page 5, line 7, after "face" insert "of the record"
- Page 5, line 18, overstrike "which" and insert immediately thereafter "that"
- Page 5, line 20, replace "person" with "individual"
- Page 5, line 21, replace "person's" with "individual's"
- Page 5, line 30, overstrike "person" and insert immediately thereafter "individual"
- Page 6, line 2, overstrike "person" and insert immediately thereafter "individual"
- Page 6, line 25, overstrike "its" and insert immediately thereafter "the"
- Page 6, line 25, after "face" insert "of the death record"
- Page 7, line 6, overstrike "which" and insert immediately thereafter "that"
- Page 7, line 22, replace "person" with "individual"
- Page 8, line 17, overstrike "thereunder" and insert immediately thereafter "under this chapter"
- Page 8, line 28, overstrike "person" and insert immediately thereafter "individual"
- Page 8, line 28, overstrike "person's" and insert immediately thereafter "individual's"
- Page 8, line 29, replace the underscored comma with an underscored semicolon

2/2

Page 10, line 13, overstrike "Any individual" and insert immediately thereafter "A person"

Page 10, line 14, overstrike "individual" and insert immediately thereafter "person"

Renumber accordingly

**2015 SENATE STANDING COMMITTEE  
 ROLL CALL VOTES  
 BILL/RESOLUTION NO. HB 1116**

Senate Human Services Committee

Subcommittee

Amendment LC# or Description: \_\_\_\_\_

- Recommendation:  Adopt Amendment  
 Do Pass     Do Not Pass     Without Committee Recommendation  
 As Amended     Rerefer to Appropriations  
 Place on Consent Calendar
- Other Actions:  Reconsider     \_\_\_\_\_

Motion Made By Anderson    Seconded By Wanner

Senators	Yes	No	Senators	Yes	No
Senator Judy Lee (Chairman)	✓		Senator Tyler Axness	✓	
Senator Oley Larsen (V-Chair)	✓		Senator John M. Warner	✓	
Senator Howard C. Anderson, Jr.	✓				
Senator Dick Dever	✓				

Total (Yes) 6 No 0

Absent 0

Floor Assignment Sen. Lee

If the vote is on an amendment, briefly indicate intent:



Date: 03/25 2015  
Roll Call Vote #: 2

2015 SENATE STANDING COMMITTEE  
ROLL CALL VOTES  
BILL/RESOLUTION NO. HB 1116

Senate Human Services Committee

Subcommittee

Amendment LC# or Description: 15. 8059.04001 Title 05000

Recommendation:  Adopt Amendment  
 Do Pass     Do Not Pass     Without Committee Recommendation  
 As Amended     Rerefer to Appropriations  
 Place on Consent Calendar  
Other Actions:  Reconsider     \_\_\_\_\_

Motion Made By Sen Larsen    Seconded By Sen. Axness

Senators	Yes	No	Senators	Yes	No
Senator Judy Lee (Chairman)	✓		Senator Tyler Axness	✓	
Senator Oley Larsen (V-Chair)	✓		Senator John M. Warner	✓	
Senator Howard C. Anderson, Jr.	✓				
Senator Dick Dever	✓				

Total (Yes) 6    No 0

Absent 0

Floor Assignment \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent:

**2015 SENATE STANDING COMMITTEE  
 ROLL CALL VOTES  
 BILL/RESOLUTION NO. HB 1116**

Senate Human Services Committee

Subcommittee

Amendment LC# or Description: 15.8059.04001 Title 05000

Recommendation:  Adopt Amendment  
 Do Pass     Do Not Pass     Without Committee Recommendation  
 As Amended     Rerefer to Appropriations  
 Place on Consent Calendar

Other Actions:  Reconsider     \_\_\_\_\_

Motion Made By Sen. Larsen Seconded By Sen. Axness

Senators	Yes	No	Senators	Yes	No
Senator Judy Lee (Chairman)	✓		Senator Tyler Axness	✓	
Senator Oley Larsen (V-Chair)	✓		Senator John M. Warner	✓	
Senator Howard C. Anderson, Jr.	✓				
Senator Dick Dever	✓				

Total (Yes) 6 No 0

Absent 0

Floor Assignment Sen Lee

If the vote is on an amendment, briefly indicate intent:

**REPORT OF STANDING COMMITTEE**

**HB 1116, as engrossed: Human Services Committee (Sen. J. Lee, Chairman)**  
recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING).  
Engrossed HB 1116 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1116, as engrossed: Human Services Committee (Sen. J. Lee, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1116 was placed on the Sixth order on the calendar.

Page 1, line 10, overstrike "who" and insert immediately thereafter "that"

Page 1, line 14, overstrike "that" and insert immediately thereafter "which"

Page 1, line 21, overstrike "a"

Page 1, line 22, overstrike "person's" and insert immediately thereafter "an individual's"

Page 1, line 23, overstrike "prior to" and insert immediately thereafter "occurring before"

Page 1, line 24, overstrike the comma

Page 2, line 1, overstrike the first "the" and insert immediately thereafter ". The"

Page 2, line 15, overstrike "persons" and insert immediately thereafter "individuals"

Page 2, line 22, overstrike "a person's" and insert immediately thereafter "an individual's"

Page 2, line 26, overstrike "a person" and insert immediately thereafter "an individual"

Page 2, line 27, overstrike "pursuant to" and insert immediately thereafter "under"

Page 3, line 1, overstrike "a person's" and insert immediately thereafter "an individual's"

Page 3, line 4, overstrike "person" and insert immediately thereafter "individual"

Page 5, line 2, overstrike "a person" and insert immediately thereafter "an individual"

Page 5, line 7, overstrike "their" and insert immediately thereafter "the"

Page 5, line 7, after "face" insert "of the record"

Page 5, line 18, overstrike "which" and insert immediately thereafter "that"

Page 5, line 20, replace "person" with "individual"

Page 5, line 21, replace "person's" with "individual's"

Page 5, line 30, overstrike "person" and insert immediately thereafter "individual"

Page 6, line 2, overstrike "person" and insert immediately thereafter "individual"

Page 6, line 25, overstrike "its" and insert immediately thereafter "the"

Page 6, line 25, after "face" insert "of the death record"

Page 7, line 6, overstrike "which" and insert immediately thereafter "that"

Page 7, line 22, replace "person" with "individual"

Page 8, line 17, overstrike "thereunder" and insert immediately thereafter "under this chapter"

Page 8, line 28, overstrike "person" and insert immediately thereafter "individual"

Page 8, line 28, overstrike "person's" and insert immediately thereafter "individual's"

Page 8, line 29, replace the underscored comma with an underscored semicolon

Page 10, line 13, overstrike "Any individual" and insert immediately thereafter "A person"

Page 10, line 14, overstrike "individual" and insert immediately thereafter "person"

Renumber accordingly

**2015 TESTIMONY**

**HB 1116**

#1

**Testimony**  
**House Bill 1116**  
**Human Services Committee**  
**January 12, 2015; 11:00 a.m.**  
**North Dakota Department of Health**

Good morning, Chairman Weisz and members of the Human Services Committee. My name is Darin Meschke. I am the State Registrar and the Director of the North Dakota Department of Health's Division of Vital Records. I am here today to provide testimony in favor of House Bill 1116 and to offer an amendment.

The Division of Vital Records is required by state law to register and certify all vital events that occur in the state. These include births, deaths, fetal deaths, marriages, divorces and abortions. The purpose of this bill is to update the Health Statistics Act based on current state practices and to reflect a recent update to the national model law governing vital records registration, which was initially released in 2011.

The first of these changes is in the middle of page 2, line 23, where we create a new definition for an entity with a personal property interest regarding a vital record. Certain entities, including pension plans and insurance companies, need death registration information to finalize accounts, and many times no eligible family member is available to obtain that information for the entity. This new definition will allow these entities to make the request for the certified copy directly to our office.

The next set of changes starts on page 3, line 22 and deals with the registration of a birth that occurs outside of a hospital setting. The change we are making simply requires that the birth forms be filed in our office within five days after the date of birth. These forms are necessary to document the three major facts of birth, which include that the mother was pregnant, the baby was born alive, and the birth occurred in our state. We want to make this process as simple as possible for these parents, keeping in mind we still need to document the facts of birth to ensure proper and accurate registration.

The next change on page 4, starting on line 7, is our proposed amendment to the bill. This new language deals with the issue of a married woman giving birth to a baby who is not biologically linked to her husband. After further review by the Attorney General's office, the language proposed conflicts with current NDCC 14-20, which deals with the same issue. Rather than have conflicting state

statutes, we would simply like to retract this proposed change and keep existing law the way it currently reads.

The next change is at the bottom of this page on line 26, and it clarifies the “in writing” requirements for the paternity acknowledgment form to more closely follow current practice. This is simply clarifying language and does not change the requirement of the law.

The next change at the top of page 5, line 2, removes the requirement for an unmarried couple to choose one of their current surnames for the child. This change will allow these parents to choose any surname for the child, and that process is complete when they fill out the acknowledgment of paternity form and choose the name of the child. Currently, a married couple can select any surname for their child, and this change gives an unmarried couple those same rights.

The next two changes on page 5 deal with minor revisions to the process regarding the delayed registration of a birth. The first change on line 23 gives our office the ability to dismiss a request for a delayed filing that is not being actively pursued, one year sooner. Our experience shows that once a person starts the process of trying to file a delayed registration of birth, it normally takes a few months for the person to gather all the required documentation and for our office to file the record. If a request is not processed within those first few months, the request goes dormant and is never filed because we do not hear back from the client. If they stop contacting us, we simply want to be able to dismiss the request after one year to keep our files current. If the client is actively working with our office and the process takes more than a year, then we will continue to help them file the record. This would only be for records that are not active.

The other change regarding a delayed registration is the addition of a new subsection on line 25. This is a fraud prevention measure, which is recommended in national model law and would allow our office to reject any request to create a new birth record for someone who has been deceased for more than one year. Birth certificate fraud is much more prevalent than it has been in the past, and this change would add a fraud-prevention step to help stop people from creating birth records to be used as fraudulent identities when we know the individual is deceased.

The next set of changes deals with death registration and start on page 6, line 9. This change reduces the maximum number of days required to file the medical certification of death from 15 down to 10. Since we implemented the electronic death registration system in 2008, we have found that 75 percent of our deaths are reported within 10 days, and this change would allow families to receive full

death certificates five days earlier than is currently mandated. Families need these death certificates filed promptly so that they are able to take care of the final expenses and other related issues after an individual's death. This change will also allow our office to start any necessary follow up with a physician five days sooner in the event the record has not been filed. This change also occurs on lines 17 and 19 on page 6.

The change on the top of page 7, line 4, would allow additional access to a death registration for those entities with a personal property need for information. This additional language gives those entities access to the decedent's social security number primarily for the purposes of confirming they are requesting and receiving the correct death record.

The next change on page 7, starting on line 11, deals with fetal death registration. The language in this subsection refers to the required number of weeks of gestation before a fetus can be called a fetal death. The model law requirement is twenty completed weeks or more, but our law allows for less than that when provided by rules of the state department of health. The health department does not now, nor have they ever had, to my knowledge, a rule on fetal death for less than twenty weeks. Events prior to twenty weeks gestation are referred to as miscarriages and are not registered as a vital event. We are asking for removal of that part of subsection 1 to reflect the current model law and current practice within our state.

The proposed amendments in subsections 2 and 3, listed on page 7, reflect the current electronic process for fetal death registration that has been in place since January 1, 2008. Fetal deaths are typically handled by hospital birth staff and not by a funeral director. Although the term 'death' may imply involvement of a funeral home, these events are typically registered by hospital staff and may or may not involve a funeral home. The new language in subsection 2 and the removal of subsection 3 more accurately reflects the current registration process for fetal death. Subsections 4, 5 and 6 are subsequently renumbered 3, 4 and 5 respectively. The amount of time to file the medical cause of a fetal death is also being reduced from fifteen to ten days, as was previously mentioned for death registration. These changes are reflected on page 8, lines 5 and 7.

The next change involves correcting and amending vital records, starting at line 30 on page 8. The current language refers to changing a person's name only on a vital record in response to a court order. In fact, our office will accept a court order to amend any field on a record. The proposed change more accurately reflects the current processes governing the court order requirements.

The proposed additional language on page 9, starting with line 3, allows our office to contact the court if the information in an order is known to be false or inaccurate. This kind of error does not happen very often, but our office would like the ability to contact the courts regarding a correction instead of following an order we know to be inaccurate.

The next change on page 9, line 10, relates back to our change that gives an unmarried couple the same rights as a married couple when it comes to naming their child. Once an acknowledgment of paternity form is filed, this section of law allows us to update the child's surname based on what is requested by the parents on the paternity form.

The next change on page 9, line 26, changes the time frame when a birth record becomes an open record from one hundred years to one hundred and twenty-five years. This revision is based on model law and is being requested because more people are living past their 100<sup>th</sup> birthdays and we want the confidentiality of protected birth information to apply to everyone throughout their entire life.

At the bottom of page 9, starting on line 30, we propose adding language for those entities which have a personal property need for a complete death registration, as was mentioned previously in other proposed revisions.

The next proposed change on page 10, line 24 allows the department of health to electronically verify our vital event information for a variety of agencies that need this information to complete their official duties. This amendment applies to federal and state government agencies; agencies that pay benefits, such as pension plans and life insurance companies; physicians who track patients lost to care; attorneys working on estates; and any other agency for the purposes of fraud prevention. This addition applies to electronic verifications and certifications only and does not apply to certified paper copies. This section also allows the department to charge a fee for this purpose if necessary.

The final change in HB 1116 concerns persons who are required to keep records. This change, starting on page 11 on line 11, adds hospitals and other institutions to the list of those who must file monthly event reports with our office. This requirement has always been in place as a check and balance to insure that we have every birth, death and fetal death filed each month. This manual process is needed even with our new electronic systems, and this correction more accurately describes the current process.

This concludes my testimony and I'd be happy to answer any questions you may have.

PROPOSED AMENDMENTS TO H.B. NO. 1116

Darin Meschke, State Registrar

Page 4, line 7, remove the overstrike over "~~the presumption of~~"

Page 4, line 8, remove the overstrike over "~~paternity has been rebutted by a court decree~~" and remove  
“.”

Page 4, remove lines 9 through 12.

Page 4, line 13, remove "and biological father, and filed with the state registrar"

Renumber accordingly



#2  
HB 1116

TESTIMONY TO THE  
HOUSE HUMAN SERVICES COMMITTEE

JANUARY 12, 2015

JAMES BARNHARDT – ADMINISTRATOR, COLLEGE SAVE PLAN

BANK OF NORTH DAKOTA

I am here today to testify on behalf of Bank of North Dakota (BND) and to ask your consideration to an amendment to House Bill 1116 to provide the Department of Health Services with the authority to distribute a list of information to Bank of North Dakota pertaining to all North Dakota newborns for the purposes of supporting the 529 College SAVE Plan's Children FIRST grant program.

Bank of North Dakota seeks to COMMUNICATE with the parents of ALL North Dakota newborns for the purpose of allowing them to receive a multi-year matching grant. This would serve to encourage families at the earliest possible stage in their newborn's life to open a higher education savings account through the state administered 529 College SAVE Plan.

It is our hope to increase awareness of the College SAVE Plan and create willingness by families in North Dakota to start saving early and often through introduction to programs like Children FIRST. We believe the College SAVE plan can effectively change the long-term saving habits of North Dakota families and substantially decrease the \$27,000 in average student loan debt of a four-year graduate from a North Dakota higher education institution. Families who start saving at the earliest possible stage in an infant's life with only \$50 a month could offset the entire \$27,000 in average student loan debt. In addition, statistics indicate children are 4 to 7 times more likely to attend a four-year university and not drop out than children without an account.

We seek permission to communicate with the parents of ALL North Dakota newborns in support of the Children FIRST Program which was launched in 2011 with ongoing administrative support from the North Dakota Department of Health. Children FIRST currently allows parents of North Dakota newborns to receive from BND a \$100 grant into a College SAVE account if they enroll prior to the newborns first birthday. Families must match the \$100 before the child's fourth birthday which allows time for young and lower income families to become more comfortable with the program and have the means to start investing for future higher education expenses.

To date, since launching College SAVE's Children FIRST Program in mid-2011, BND has funded 2,476 Children FIRST grants or close to \$250,000. This in turn has led these specific participants in College SAVE to invest \$4,196,099.79 toward these same newborn's future higher education needs. This is a return on the state's investment, in the children of North Dakota, of over \$14 for every \$1 in grant money provided by the state. Imagine what that number could be if every family was notified of the

opportunity the Children FIRST Program offers and subsequent investments and returns grew until age 18 or beyond.

An enhancement of the Children FIRST Program would bolster the dollar amount to \$200 through a two-year matching grant with ongoing communication to all families with newborns. Funding would come from resources at BND and we expect to enroll approximately 25 percent of families with newborns each year, or 2,500 of the approximate 10,000 births in North Dakota. Funding of the grants would come to approximately \$250,000 the first year and \$500,000 the second year and parents must match the state's \$100 grant each year.

The Children FIRST Program is a gateway into the College SAVE Plan and into additional funding through the North Dakota Matching Grant Program. This program alone has funded over 3,000 matching grant accounts since 2007 at more than \$1.4 million. This has led to a further investment by North Dakota families of \$7.9 million toward their loved one's education. This is a return on the state's investment in the youth of North Dakota of nearly \$5 for every \$1 in grant money.

In addition, I would like to add that Maine, Rhode Island and Nevada offer their own child development grant accounts through their state's 529 plans that automatically enroll all of the respective state's newborns or kindergarten aged children into their plans with grants of between \$100 and \$500.

At the end of 2014 College SAVE had more than \$380 million in investments with nearly \$80 million from North Dakota residents alone, and contributions totaling nearly \$18 million from North Dakota residents in 2014. We currently have 26,783 accounts, 14,641 of which are linked to North Dakota residents. This is an increase from only \$4 million and 811 total North Dakota accounts in 2007 when we re-launched College SAVE and started offering these and other incentives.

To summarize, we are seeking the authority to use Vital Statistics to promote College SAVE as it pertains to education in North Dakota and ultimately offset a growing demand for student loans, help families keep up with the rising cost of education and the burden of increased student debt upon graduation.

Thank you for your consideration of this proposed amendment and I am available for any questions.

James Barnhardt

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1116

Page 10, line 21, after "project," insert "the Bank of North Dakota,"

Renumber accordingly.

23

AMENDMENT TO HOUSE BILL 1116

HOUSE HUMAN SERVICES COMMITTEE

JANUARY 12, 2015

REPRESENTATIVE MARK DOSCH

I would like to introduce an amendment to House Bill 1116 and to ask the House Human Services Committee for consideration to this amendment so that the North Dakota Department of Health would be allowed to distribute a list of information to Bank of North Dakota pertaining to all North Dakota newborns for the purposes of supporting the 529 College SAVE Children First Grant Program.

The proposed amendment is to Subsection six of NDCC23-02.1-27 to be amended and reenacted as follows:

6. The state department of health may grant limited access to birth and death information to divisions and programs of the state department of health, the department of transportation, the protection and advocacy project, Bank of North Dakota, and the department of information technology, and to the department of human services necessary for the purpose of completing their respective official duties.

A representative from the Bank of North Dakota is present today to provide additional information and address any questions from Committee members.

1/12/15

#4

My name is Donna Henderson and I am here today to stand in opposition of HB1116 a bill brought forth at the request of the ND State Dept of Health. I am here on behalf of Home Birth Freedom ND. We are an Association dedicated to Preserving Traditional Midwifery in ND. We are here because section 2 of HB1116 addresses birth certificates for babies born outside of institutions, which of course includes those of us who choose to birth at home.

This part of HB1116 was in legislation last session, in SB2063, a bill also brought forth at the request of the ND State Dept of Health. The wording is slightly different but the result would be the same. The language in HB 1116 seeks to remove the directives of who fills out the required forms for birth certificate of babies born outside of institutions, to be replaced with vague language of "required forms prescribed by the State Dept of Health" to be prepared and filed with the state registrar within five days.

It appears that this change could allow the State Dept of Health to require additional forms or requirements thru their Administrative rules process without having to go thru the legislative process to change century code. As Ms Barth of the State Dept of Health said during the hearing of last sessions SB2063, it was so the Dept of Health would "be able to edit the rules without changing the law."

At the committee hearing last session of SB2063 we found out that what they wanted to edit the rules to. We asked for that information prior to the hearing but did not receive it. Ms Barth presented it at the hearing. The Dept of Health Administrative Rules wanted to require evidence that the mother was pregnant, and that a child was born alive, and that the mother lived in North Dakota. And stated that such evidence MUST come from a hospital, clinic, physician, or other health care provider, or a statement from any other person in attendance at or immediately after the birth who is not related to the mother or father.

That requested information--that the mother was pregnant, that a child was born alive, and that the mother lived in ND, is already collected and verified on the Parent worksheet and the Provider worksheet required by the State Dept of Health.

If the evidence did not meet the requirements of the State Registrar, a birth certificate would be denied unless the parent attained a certified copy of an order from a court of competent jurisdiction establishing the facts. The State Dept of Health was telling us that we had to have a 3<sup>rd</sup> party—not a relative—at our birth or immediately after, and that if we did not have who they deemed proper at our birth, we would be denied birth certificates for our children. We found this to be extreme overreach of the agency and an intrusion on our privacy.

This bill was debated at length in committee and 42 days after the hearing, the committee finally gave the bill a Do Not Pass Recommendation by a vote of 6-1. And the bill failed in the Senate by a vote of 10-37.

Now, even after that defeat, we see it back again this session in the form of HB1116. It should be noted again that it is an Agency bill without Legislative sponsors. I think if Agencies were required to have Legislative sponsors, that we would not have this bill in front of us today.

/

So why is the State Dept of Health so determined on this issue? Well if you go back another Legislative session to 2011, SB 2315 was introduced to license and regulate midwives in North Dakota. In the Senate Committee hearing the Committee Chairman directed Ms Bartz of the State Dept of Health to give an overview and explanation of the bill and she answered questions regarding the bill. During all committee work discussions of this bill, the State Dept of Health was represented by Ms Bartz who freely participated in the discussions. Although the Dept of Health did not "formally" request the bill, it was obvious they created it. She stated that the Dept of Health had studied for 6 months how to regulate midwives in ND. There were physicians also present during the committee work discussions and the committee report documents discussions of possibly requiring ultrasounds for home births and a discussion of birth certificates. It does not state in detail how birth certificates were discussed, but it does make me suspicious about last session's bill and this session's bill regarding birth certificates. Is this a back door approach to regulating midwives and home births in ND? We believe it is. Is this government overreach into the private and personal time of childbirth in our own homes? We believe it is.

Those of us that use services of traditional midwives are very happy with their services and we want to see the freedom to use them remain for future generations. In the 2007 legislative session there was a bill to outlaw traditional midwives. It was amended to be a study to regulate midwives. Three of you committee members were there and probably remember SB2377. Looking back into the committee reports I found these quotes from the House Human Service Committee members-

"They seem pretty happy with the way they are now."

"Childbirth has been around as long as or longer than medicine."

"This is a small number for us to get our nose in there and start regulating."

"What I have heard from people about the concern of the study is the fact the medical community will shake the direction and they will be SOL."

I am proud to say that one of you committee members made a motion for a Do Not Pass, and it was seconded by another one of you, and the vote was unanimous 9-0 Do Not pass. The bill went to the full house where it was defeated 90 -3.

Although, we cannot foresee wanting any changes in the Century code regarding traditional midwives or home births, we want to keep that power within this Legislative body. Here we are represented by our elected officials who are accountable to us and we can more readily participate in the legislative process. Both houses have done well representing the wishes of the people in issues regarding midwives and home births in ND.

If the power to make the rules, which in this case would be the power to write the law, regarding midwives and home birth is allowed to be transferred into the State Dept of Health, those decisions would be made by non-elected persons who are not representing the people of ND and are not

accountable to the citizens of this state. Please do not hand your power over to the government agency that has tried to regulate us 3 legislative sessions in a row. We know what the result will be.

To be fair, there are some parts of this bill that do not address birth certificates that we do not have a problem with. We would like to offer amendment to this bill to allow the Dept of Health to make the other changes, while keeping our rights safely in statute.

(Please forgive if I do not have this in the proper legal form—I would ask my Representative, Committeeman Damschen to help me with the actual formal amendment to present in your committee work.)

HB 1116, Page No 3, lines 22-31,

Our amendment would omit all new proposed language in that section, retain the original language, and add in the specific names of the forms required. It would read as follows:

section 23-02. 2-23. Birth Registration.

3. When a birth occurs outside an institution, the required forms which are the "North Dakota Parent's worksheet" and the "North Dakota Certifier's Worksheet", must be prepared and filed with the state registrar by one of the following in the indicated order of priority:

- a. The physician in attendance at or immediately after the birth, or in the absence of such a person;
- b. Any other person in attendance at or immediately after the birth, or in the absence of such a person; or
- c. The father, the mother, or in the absence of the father and the inability of the mother, the person in charge of the premises where the birth occurred.

We like the order of priority in the century code and believe it cements our rights as parents for the freedom and the responsibility of the home birth, to have who we choose to be present or to not be present, and the paperwork thereof. And we think the forms should be stated specifically in state statute to clarify.

You will also hear testimony today from Paulette Efimenko who has filled out many of these forms and she will expand on that and can answer your questions about them.

We don't believe a time frame is necessary, since it is already addressed in Section 3, with "23-02.1-15 Delayed registration of birth." The proposed 5 day limit is definitely too short. If this committee felt a time frame was necessary for the application, we would propose 12 weeks which would coincide with the ND Family Medical Leave Act . Again Paulette can address that in more detail.

In Section 7, page No 7, line 23 of HB 1116 , the word "birth" is inserted where it has not been before. That section is regarding deaths. We believe the bill already collects the required data regarding births, and should stay focused on the collection of information regarding deaths. We question why it is added

in and how that would affect home birth parents; and if there would be any information, in addition to the parent's worksheet and certifier's worksheet requested by the state registrar? If there would be more information requested, then we would ask that that word "birth" be stricken from line 23.

In closing I would like to thank you for your past support of midwives and the freedom of choice to birth at home in ND and would ask for your continued support of us by adopting our proposed amendments to HB1116. We would be happy to support the bill with those amendments.

Thank you,

Donna Henderson,

Home Birth Freedom, ND

Calvin, ND

697-5104

henders@utma.com



10. Type of Place of Birth?

<Apply Hospital Label Here>

- Clinic/ Doctor's Office
- Freestanding Birthing Center
- Hospital
- Other \_\_\_\_\_  
(Named place – describe e.g. McDonalds)
- Home Birth  
Planned to Deliver at Home?  
 Yes  
 No
- Unknown

11. Plurality? (Include all live births and fetal losses resulting from this pregnancy) \_\_\_\_\_ (1,2,3,4,5,6,7 etc.)

12. If not a single birth, birth order? (Include all live births and fetal losses resulting from this pregnancy) \_\_\_\_\_  
(1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup>, 6<sup>th</sup>, 7<sup>th</sup>, etc)

13. If not single birth, specify number of infants born alive? \_\_\_\_\_

14. Is infant living at the time of this report?  Yes  No  Infant Transferred, status unknown

15. Is infant being breastfed at time of discharge?  Yes  No  Unknown

16. Was infant transferred within 24 hours of delivery?  Yes  No

If yes, name of facility infant transferred to? \_\_\_\_\_

17. Apgar Score? 5 minute score \_\_\_\_\_ (If 5 minute score is less than 6 enter score at 10 minutes \_\_\_\_\_)

18. Was the delivery with forceps attempted but unsuccessful?  Yes  No

19. Was delivery with vacuum extraction attempted but unsuccessful?  Yes  No

20. Fetal presentation at birth (Check one)

- Cephalic
- Breech
- Other

21. What was the final route and method of delivery? (Check one)

- Vaginal/Spontaneous
- Vaginal/Forceps
- Vaginal/Vacuum
- Cesarean
- If Cesarean, was a trial of labor attempted?  Yes  No

22. Abnormal conditions of the newborn (Check all that apply)

- Assisted Ventilation required immediately following delivery
- Assisted ventilation required for more than six hours
- NICU Admission
- Newborn given surfactant replacement therapy
- Antibiotics received by the newborn for suspected neonatal sepsis
- Seizure or serious neurologic dysfunction
- Significant birth injury
- Fetal Alcohol Syndrome
- None of the abnormal conditions listed

23. Congenital anomalies of newborn

- Anencephaly
- Meningomyelocele/ Spina bifida
- Cyanotic congenital heart disease
- Acyanotic congenital heart disease
- Congenital diaphragmatic hernia
- Omphalocele
- Gastroschisis
- Limb reduction defect
- Cleft lip with or without a cleft palate
- Cleft palate alone
- Down Syndrome
- Karotype confirmed
- Karotype pending
- Suspected chromosomal disorder
- Karotype confirmed
- Karotype pending
- Hypospadias
- None of above



8. Date of last live birth? \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
MM                      YYYY
9. Total number of other pregnancy outcomes (Include fetal losses of any gestational age – spontaneous losses, induced losses, and/or ectopic pregnancies. If this was a multiple delivery, include all fetal losses delivered before this infant in the pregnancy):  
\_\_\_\_\_ Number
10. Date of last other pregnancy outcome (Date when last pregnancy ended, which did not result in a live birth):  
\_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
MM                      YYYY
11. Date the last normal menses began? \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ (Enter 9's for unknown portions of the date)

**Mother Labor and Delivery**

1. Medical Risk Factors for this Pregnancy (Check all the apply)
- Diabetes
    - Type I
    - Type II
    - Gestational
  - Hypertension
    - Pre-pregnancy
    - Gestational
    - Eclampsia
  - Previous pre-term births
  - Other previous poor pregnancy outcomes
  - Pregnancy resulted from infertility treatment (Check all that apply)
    - Fertility-enhancing drugs, artificial insemination or intrauterine insemination
    - Assisted reproductive technology
  - Mother had a previous cesarean delivery  
If Yes, how many \_\_\_\_\_
  - Exposure to illegal drugs
    - Methamphetamines
    - Marijuana
    - Cocaine
    - Other
  - Exposure to alcohol
  - None of these risk factors
2. Infections present and/or treated during this pregnancy (Check all that apply)
- Gonorrhea
  - Syphilis
  - Chlamydia
  - Hepatitis B
  - Hepatitis C
  - Group B Strep
  - Rubella
  - HIV/AIDS
  - Cytomegalovirus
  - Parvo Virus
  - Toxoplasmosis
  - Other
  - None of these infections
3. Obstetric procedures performed during the pregnancy? (Check all that apply)
- Cervical Cerclage
  - Tocolysis
  - External cephalic version
    - Successful
    - Failed
  - None of the Above

4. Onset of Labor (Check all that apply)

<Apply Hospital Label Here>

- Premature Rupture of the membranes
- Precipitous Labor
- Prolonged Labor
- None of the Above.

5. Characteristics of labor and delivery (Check all that apply)

- Induction of labor
- Augmentation of labor
- Non-vertex presentation
- Steroids (glucocorticoids) for fetal lung maturation received by the mother prior to delivery
- Antibiotics received by the mother during labor
- Clinical chorioamnionitis diagnosed during labor maternal temperature  $\geq 38$  C (100.4 F)
- Moderate/heavy meconium staining of the amniotic fluid
- Fetal Intolerance of labor requiring In-utero resuscitative measures, Further fetal assessment or Operative delivery
- Epidural or spinal anesthesia during labor
- None of these characteristics

6. Maternal Morbidity - Complications of the mother experienced during labor and delivery (Check all that apply)

- Maternal transfusion
- Third or fourth degree perineal laceration
- Ruptured uterus
- Unplanned hysterectomy
- Admission to the intensive care unit
- Unplanned operating procedure following delivery
- None of these complications

Completed by \_\_\_\_\_

5. What is the Mother's date of birth? \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
Month Day Year

6. In what State, U.S. territory or foreign country was the Mother born?

State \_\_\_\_\_

Or

US territory \_\_\_\_\_

(i.e. Puerto Rico, U.S. Virgin Islands, Guam, American Samoa or Northern Marianas)

Or

Foreign country (If Canada, list province as well) \_\_\_\_\_

7. What is the Mother's Social Security Number \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

8. Was the mother married at the time of conception or birth or anytime in between?

Yes

No

9. What is the highest level of schooling that the Mother will have completed at the time of delivery? (Check the box that best describes your education. If you are currently enrolled, check the box that indicates the previous grade or highest degree received).

8<sup>th</sup> grade or less

9<sup>th</sup> – 12 grade, no diploma

High school graduate or GED completed

Some college credit, but no degree

Associate degree (e.g. AA, AS)

Bachelor's degree (e.g. BA, AB, BS)

Master's degree (e.g. MA, MS, MEng, Med, MSW, MBA)

Doctorate (e.g. PhD, EdD) or Professional degree (e.g. MD, DDS, DVM, LLB, JD)

Refused/Unknown

10. What is the Mother's race? (Please check one or more races to indicate what you consider yourself to be).

White

Black or African American

American Indian or Alaska Native

Specify Tribe \_\_\_\_\_

Asian Indian

Chinese

Filipino

Japanese

Korean

Vietnamese

Other Asian (Specify) \_\_\_\_\_

Native Hawaiian

Guamanian or Chamorro

Samoan

Other Pacific Islander (Specify) \_\_\_\_\_

Other (Specify) \_\_\_\_\_

Refused/Unknown

11. What is the Mother's ancestry? (Please check one or more races to indicate what you consider yourself to be).

Native American Indian

English/Welsh

Irish

German

French

Scandinavian (Norwegian, Danish, Swedish)

Polish

Refused/Unknown

Other Western European (i.e. Belgian) \_\_\_\_\_

Other Eastern European (i.e. Russian) \_\_\_\_\_

Other Northern European (i.e. Finnish) \_\_\_\_\_

Other (Specify) \_\_\_\_\_

12. Is the Mother Spanish/Hispanic/Latina? If not Spanish/Hispanic/Latina, check the "No" box. If Spanish/Hispanic/Latina, check the appropriate box.

No, not Spanish/Hispanic/Latina

Yes, Mexican, Mexican American, Chicano

Yes, Puerto Rican

Yes, Cuban

Yes, other Spanish/Hispanic/Latina (e.g. Spaniard, Salvadoran, Dominican, Columbian)

(specify) \_\_\_\_\_

Refused/Unknown

< Apply Hospital Label Here >

13. Did the mother use **alcohol** during pregnancy?  
 Yes  
 If yes, average number of drinks per week \_\_\_\_\_  
 No  
 Refused/Unknown

14. How many **cigarettes** OR packs of cigarettes did the Mother smoke on an average day during each of the following time periods? If the Mother NEVER smoked, enter zero for each time period.

	# of cigarettes
Three months before pregnancy	_____
First three months of pregnancy	_____
Second three months of pregnancy	_____
Third trimester of pregnancy	_____

15. Would you like the state to request a **social security number/card** for your child? (If yes, the process takes about 6-8 weeks after the record is filed at the ND Department of Health)  
 Yes                       No

For children born out of wedlock and for married mothers whose husband is not the father of this child, ND State Law (ND Century Code 23-02.1-13) requires that an Acknowledgment of Paternity be completed so that the biological father's information can be added to the birth certificate. If an Acknowledgment of Paternity is not completed, then the father's information must be left blank on the birth certificate. If the mother is married and her husband is the father of this child, then questions 16 and 17 can be answered as N/A (Not Applicable). If you have additional questions about the Acknowledgment of Paternity, please ask the hospital staff.

16. Was a **paternity acknowledgement** completed?  
 Yes                       N/A  
 No
17. Did the husband sign the **paternity disclaimer**?  
 Yes                       N/A  
 No

18. What is the **principal payment source** for this pregnancy?  
 Private Insurance  
 Blue Cross/Blue Shield  
 Medicaid  
 Military  
 Indian Health Service
- Self-Pay  
 Other Government Insurance  
 Other (Specify) \_\_\_\_\_  
 Refused/Unknown

19. Do you wish to receive any **parenting information**? (Some examples of the information you will receive include **College SAVE** money for your baby, parenting tips, information on growth and development and services available for children and families.)  
 Yes                       No

20. Did mother receive **WIC** food for during this pregnancy?     Yes     No     Refused/Unknown

**Father's Information**

1. What is the **Father's current legal name**?  
 \_\_\_\_\_ (Jr, III, Etc)  
 First                      Middle                      Last                      Suffix

2. What is the Father's **Social Security Number**    \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

3. What is the Father's **date of birth**? \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
Month Day Year

4. In what State, U.S. territory or foreign country was the Father born?

State \_\_\_\_\_

Or

US territory \_\_\_\_\_

(i.e. Puerto Rico, U.S. Virgin Islands, Guam, American Samoa or Northern Marianas)

Or

Foreign country (If Canada, list province as well) \_\_\_\_\_

5. What is the **highest level of schooling** that the Father will have completed at the time of delivery? (Check the box that best describes his education. If he is currently enrolled, check the box that indicates the previous grade or highest degree received).

8<sup>th</sup> grade or less

9<sup>th</sup> – 12 grade, no diploma

High school graduate or GED completed

Some college credit, but no degree

Associate degree (e.g. AA, AS)

Bachelor's degree (e.g. BA, AB, BS)

Master's degree (e.g. MA, MS, MEng, Med, MSW, MBA)

Doctorate (e.g. PhD, EdD) or Professional degree (e.g. MD, DDS, DVM, LLB, JD)

Refused/Unknown

6. What is the father's **race**? (Please check *one or more races* to indicate what he considers himself to be).

White

Black or African American

American Indian or Alaska Native

Specify Tribe \_\_\_\_\_

Asian Indian

Chinese

Filipino

Japanese

Korean

Vietnamese

Other Asian (Specify) \_\_\_\_\_

Native Hawaiian

Guamanian or Chamorro

Samoan

Other Pacific Islander (Specify) \_\_\_\_\_

Other (Specify) \_\_\_\_\_

Refused/Unknown

7. What is the father's **ancestry**? (Please check *one or more races* to indicate what you consider yourself to be).

Native American Indian

English/Welsh

Irish

German

French

Scandinavian (Norwegian, Danish, Swedish)

Polish

Refused/Unknown

Other Western European (i.e. Belgian) \_\_\_\_\_

Other Eastern European (i.e. Russian) \_\_\_\_\_

Other Northern European (i.e. Finnish) \_\_\_\_\_

Other (Specify) \_\_\_\_\_

8. Is the father **Spanish/Hispanic/Latino**? If not Spanish/Hispanic/Latina, check the "No" box. If Spanish/Hispanic/Latina, check the appropriate box.

No, not Spanish/Hispanic/Latino

Yes, Mexican, Mexican American, Chicano

Yes, Puerto Rican

Yes, Cuban

Yes, other Spanish/Hispanic/Latino (e.g. Spaniard, Salvadoran, Dominican, Columbian)

(specify) \_\_\_\_\_

Refused/Unknown



**REQUEST FOR CERTIFIED COPY OF A BIRTH RECORD**  
 NORTH DAKOTA DEPARTMENT OF HEALTH  
 DIVISION OF VITAL RECORDS  
 SFN 8140 (Rev. 6-2009)

**PLEASE PRINT - ALL ITEMS MUST BE COMPLETED AND LEGIBLE TO LOCATE AND IDENTIFY THE RECORD**

1. Full Name at Birth		2. Gender <input type="checkbox"/> Male <input type="checkbox"/> Female	
3. Date of Birth (Month, Day, Year)	4. Place of Birth (City, Township or County)		
5. Full Name of Father (First, Middle, Last)			
6. Full Name of Mother (First, Middle, Maiden)			
7. Number of Certified Copies Requested ( <b>\$7.00 - 1st Copy; \$4.00 for each additional</b> ) _____ Certified (For all official purposes, including U.S. Passport, Driver's License, Social Security, etc.) _____ Genealogy (For researching family history - not available for births occurring after 2005)			
8. Your Relationship to Person on Line 1* <input type="checkbox"/> Self (must be 16 or older) <input type="checkbox"/> Mother/Father <input type="checkbox"/> Public (Only if record is over 100 years old) <input type="checkbox"/> Authorized Representative (Needs to include court order) <input type="checkbox"/> Legal Guardian (must include guardianship papers-Social Services must also include employment photo ID) If individual on line #1 is deceased and you are the <input type="checkbox"/> spouse, <input type="checkbox"/> parent, <input type="checkbox"/> child, <input type="checkbox"/> grandparent, or <input type="checkbox"/> grandchild, you may request birth record. You must include a certified copy of the death record.			

**\*\*INDIVIDUAL SIGNING HERE MUST SUPPLY THEIR PHOTO ID OR NOTARIZED SIGNATURE BELOW**

Signature			Date	
Printed Name			Daytime Telephone Number	
Mailing Address	Apartment No.	City	State	ZIP Code

*If Copy is to be Mailed Elsewhere, please provide mailing address below*

Mailing Name				
Mailing Address	Apartment No.	City	State	ZIP Code
<b>Shipping Instructions: (First Class Mail is the default)</b> <input type="checkbox"/> First Class Mail – (No Charge) <input type="checkbox"/> FedEx - \$16 (Add \$6 for AK or HI; add \$50 for International) <input type="checkbox"/> UPS - \$16 (Add \$50 for International) <input type="checkbox"/> Waive Signature for FedEx or UPS Delivery		<b>Credit Card Information:</b> <input type="checkbox"/> Visa <input type="checkbox"/> Mastercard <input type="checkbox"/> Discover	Card Number	
			Expiration (Month/Year)	
			3-Digit Security Code	

**IDENTIFICATION** – All applicants must submit **EITHER** a clear copy of a government issued photo ID that contains the applicant's signature **OR** submit a notarized application.

Subscribed to and sworn before me this (date):	<b>SEAL</b>
Signature of Notary Public	
My Commission Expires	

**Warning** – NDCC 23-02.1-32(c) Penalties. Any person who willfully or knowingly uses or attempts to use or to furnish to another for use, for any purpose deception, any certificate, record, report, or certified copy thereof so made, altered, amended or mutilated shall be guilty of a class C felony.

**PLEASE DO NOT ENTER ANYTHING BELOW THE LINE - THIS PORTION FOR OFFICIAL VITAL RECORDS OFFICE USE ONLY**

Identification Verified	Fee Received
-------------------------	--------------

## INSTRUCTIONS FOR OBTAINING A CERTIFIED COPY OF A BIRTH RECORD

The Division of Vital Records can issue copies of birth certificates only for births that occurred in North Dakota. We have records on file starting with 1870 to the present.

### Effective January 1, 2008:

**NDCC 23-02.1-27 (1)** -- A certified copy of a birth record may be issued to the individual named on the record if that individual is at least 16 years old, to a parent named on the record, to an authorized representative, or by the order of a court of competent jurisdiction. If the individual named on the birth record is deceased, a certified copy of that record may also be issued to a relative. A relative means a person's current or surviving spouse, a parent or legal guardian, a child, a grandparent, or a grandchild.

Because of these new restrictions, we must require proof of identification before we can release a certified copy of a birth record. **Proof of identification can be established by submitting a legible photocopy of one of the following forms of identification:**

1. State Government issued Photo ID or Driver's License
2. Bureau of Indian Affairs issued tribal ID card
3. US Government issued Military ID card
4. US Government issued Passport or Visa
5. US Government issued Permanent Resident Card

**The fee for a search of the files is \$7;** one search fee pays for one certified copy. Additional copies of the same record issued at the same time are \$4 each. Please make your check or money order payable to North Dakota Department of Health. We will issue a certified raised-seal paper copy for each copy requested.

Once received in our office, copies are usually mailed in 5 to 7 business days (**this does not include the mailing time**). Copies to be sent by Federal Express or UPS are processed the same day, provided the request is in our office by 10:00 a.m. Central Time.

Certified copies **CANNOT** be faxed. The certified copies will be sent by first class mail unless you specify and include the funds for special shipping through **Federal Express** for an **additional \$16.00** (add \$6 for delivery to Alaska or Hawaii) or **UPS** for an **additional \$16**.

This form may be completed and mailed with fees to:

Vital Records  
600 East Boulevard Ave. Dept. 301  
Bismarck, ND 58505-0200

If you prefer, you may complete this form and fax it with your **Visa, Master Card, or Discover** credit card number and expiration date to (701) 328-1850. Remember to fax a copy of your ID!!

Our web page is at: [www.ndhealth.gov/vital](http://www.ndhealth.gov/vital)

Our email address is: [vitalrec@nd.gov](mailto:vitalrec@nd.gov)

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1116

#1  
1/14/15

James  
Barnhardt

Page 10, line 21, after "project," insert "the Bank of North Dakota."

Renumber accordingly.

#1  
1/19/15

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1116

- Page 1, line 3, after "Act" insert "; and to provide for application"
- Page 3, line 22, after the comma insert "within thirty days of the birth."
- Page 3, line 23, remove the overstrike over "~~by one of the~~"
- Page 3, remove the overstrike over line 24
- Page 3, remove the overstrike over line 25
- Page 3, line 26, remove the overstrike over "~~such~~"
- Page 3, line 26, after "~~person~~" insert "an individual"
- Page 3, line 26, remove the overstrike over the semicolon
- Page 3, line 27, remove the overstrike over "~~b. — Any other~~"
- Page 3, line 27, after "~~person~~" insert "individual"
- Page 3, line 27, remove the overstrike over "~~in attendance at or immediately after the birth, or in the~~"
- Page 3, line 28, remove the overstrike over "~~absence of such~~"
- Page 3, line 28, after "~~person~~" insert "an individual"
- Page 3, line 28, remove the overstrike over "~~;- or~~"
- Page 3, remove the overstrike over line 29
- Page 3, line 30, remove the overstrike over "~~mother, the~~"
- Page 3, line 30, after "~~person~~" insert "individual"
- Page 3, line 30, remove the overstrike over "~~in charge of the premises where the birth occurred~~"
- Page 11, after line 15, insert:

**"SECTION 9. APPLICATION.** Under subsection 3 of section 23-02.1-13, the state department of health shall use forms that are substantially similar to the department's forms North Dakota parent's worksheet (09-06-2012) and certifier's worksheet for completing the North Dakota birth certificate (01-01-2015)."

Renumber accordingly

15.8059.01001  
Title.

Prepared by the Legislative Council staff for  
Representative Damschen  
January 16, 2015

#1

1/20/15

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1116

Page 1, line 3, after "Act" insert "; and to provide for application"

Page 3, line 22, after the comma insert "within thirty days of the birth."

Page 3, line 23, remove the overstrike over "~~by one of the~~"

Page 3, remove the overstrike over line 24

Page 3, remove the overstrike over line 25

Page 3, line 26, remove the overstrike over "~~such~~"

Page 3, line 26, after "~~person~~" insert "an individual"

Page 3, line 26, remove the overstrike over the semicolon

Page 3, line 27, remove the overstrike over "~~b. — Any other~~"

Page 3, line 27, after "~~person~~" insert "individual"

Page 3, line 27, remove the overstrike over "~~in attendance at or immediately after the birth, or  
in the~~"

Page 3, line 28, remove the overstrike over "~~absence of such~~"

Page 3, line 28, after "~~person~~" insert "an individual"

Page 3, line 28, remove the overstrike over "~~;~~"

Page 3, remove the overstrike over line 29

Page 3, line 30, remove the overstrike over "~~mother, the~~"

Page 3, line 30, after "~~person~~" insert "individual"

Page 3, line 30, remove the overstrike over "~~in charge of the premises where the birth  
occurred~~"

Page 11, after line 15, insert:

**"SECTION 9. APPLICATION.** Under subsection 3 of section 23-02.1-13, the state department of health shall use forms that are substantially similar to the department's forms North Dakota parent's worksheet (09-06-2012) and certifier's worksheet for completing the North Dakota birth certificate (01-01-2015)."

Renumber accordingly

#1  
1/26/15

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1116

- Page 1, line 3, after "Act" insert "; and to provide for application"
- Page 3, line 22, after the comma insert "within thirty days of the birth."
- Page 3, line 23, remove the overstrike over "~~by one of the~~"
- Page 3, remove the overstrike over line 24
- Page 3, remove the overstrike over line 25
- Page 3, line 26, remove the overstrike over "~~such~~"
- Page 3, line 26, after "~~person~~" insert "an individual"
- Page 3, line 26, remove the overstrike over the semicolon
- Page 3, line 27, remove the overstrike over "~~b. — Any other~~"
- Page 3, line 27, after "~~person~~" insert "individual"
- Page 3, line 27, remove the overstrike over "~~in attendance at or immediately after the birth, or in the~~"
- Page 3, line 28, remove the overstrike over "~~absence of such~~"
- Page 3, line 28, after "~~person~~" insert "an individual"
- Page 3, line 28, remove the overstrike over "~~;~~ or
- Page 3, remove the overstrike over line 29
- Page 3, line 30, remove the overstrike over "~~mother, the~~"
- Page 3, line 30, after "~~person~~" insert "individual"
- Page 3, line 30, remove the overstrike over "~~in charge of the premises where the birth occurred~~"
- Page 11, after line 15, insert:

**"SECTION 9. APPLICATION.** Under subsection 3 of section 23-02.1-13, the state department of health shall use forms that are substantially similar to the department's forms North Dakota parent's worksheet (09-06-2012) and certifier's worksheet for completing the North Dakota birth certificate (01-01-2015)."

Renumber accordingly

**Testimony  
House Bill 1116  
Senate Human Services Committee  
Monday, March 23, 2015; 9:30 a.m.  
North Dakota Department of Health**

HB 1116  
Attach #1  
03/23/2015  
JH 25242

Good morning, Chairman Lee and members of the Human Services Committee. My name is **Darin Meschke**. I am the State Registrar and the Director of the North Dakota Department of Health's Division of Vital Records. I am here today to provide testimony in favor of House Bill 1116.

The Division of Vital Records is required by state law to register and certify all vital events that occur in the state. These include births, deaths, fetal deaths, marriages, divorces and abortions. The purpose of this bill is to update the Health Statistics Act based on current state practices and to reflect a recent update to the national model law governing vital records registration, which was initially released in 2011.

The first of these changes is a modification to the definition of a Fetal Death, starting at the bottom of page 1, on line 24. This change was made by the House Human Services committee for consistency related to the duration of a pregnancy before it can be considered a fetal death. I will readdress this change later in my testimony when we get to the portion of the bill that talks about fetal deaths in more detail. The department concurred with the House Human Services committee regarding this change.

The next proposed change to a definition is on page 2, line 24, and it creates a new definition for an entity with a personal property interest regarding a vital record. Certain entities, including pension plans and insurance companies, need death record information to finalize accounts, and many times no eligible family member is available to obtain that information for the entity. This new definition will allow these entities to make the request for the certified copy directly to our office.

The next set of changes starts on page 3, line 22, and deals with the registration of a birth that occurs outside of a hospital setting. The change the department is requesting requires that the birth forms be filed in our office within thirty days after the date of birth. These forms are necessary to document the three major facts of birth, which include that the mother was pregnant, the baby was born alive, and the birth occurred in our state. We want to make this process as simple

as possible for these parents, keeping in mind we still need to document the facts of birth to ensure proper and accurate registration.

Starting on line 26, still on page 3, the bill has been modified to remove the reference to “a person” and replace that with the language “an individual”. This change occurs again on line 27, 28 and 30. Legislative Council has been making this change to be consistent across state century code where it is applicable.

The next change is in the middle of page 4, on line 21, and it clarifies the “in writing” requirements for the paternity acknowledgment form to more closely follow current practice. This is simply clarifying language and does not change the requirement of the law.

The next change at the bottom of page 4, line 28, removes the requirement for an unmarried couple to choose one of their current surnames for the child. This change will allow these parents to choose any surname for the child, and that process is complete when they fill out the acknowledgment of paternity form and choose the name of the child. Currently, a married couple can select any surname for their child, and this change gives an unmarried couple those same rights.

The next two changes on page 5 deal with minor revisions to the process regarding the delayed registration of a birth. The first change on line 18 gives our office the ability to dismiss a request for a delayed filing that is not being actively pursued, one year sooner. Our experience shows that once a person starts the process of trying to file a delayed registration of birth, it normally takes a few months for the person to gather all the required documentation and for our office to file the record. If a request is not processed within those first few months, the request goes dormant and is never filed because we do not hear back from the client. If they stop contacting us, we simply want to be able to dismiss the request after one year to keep our files current. If the client is actively working with our office and the process takes more than a year, then we will continue to help them file the record. This would only be for records that are not active.

The other change regarding a delayed registration is the addition of a new subsection on line 20. This is a fraud prevention measure, which is recommended in national model law and would allow our office to reject any request to create a new birth record for someone who has been deceased for more than one year. Birth certificate fraud is much more prevalent than it has been in the past, and this change would add a fraud-prevention step to help stop people from creating birth records to be used as fraudulent identities when we know the individual is deceased.

The next set of changes deals with death registration and start on page 6, line 4. This change reduces the maximum number of days required to file the medical certification of death from 15 down to 10. Since we implemented the electronic death registration system in 2008, we have found that 75 percent of our deaths are reported within 10 days, and this change would allow families to receive full death certificates five days earlier than is currently mandated. Families need these death certificates filed promptly so that they are able to take care of the final expenses and other related issues after an individual's death. This change will also allow our office to start any necessary follow up with a physician five days sooner in the event the record has not been filed. This change also occurs on lines 12 and 14 on page 6.

The change starting on the bottom of page 6, line 30, and continuing to page 7, line 1, would allow additional access to a death registration for those entities with a personal property need for information. This additional language gives those entities access to the decedent's social security number primarily for the purposes of confirming they are requesting and receiving the correct death record.

The next change on page 7, starting on line 7, deals with fetal death registration. The language in this subsection refers to the required number of weeks of gestation before a fetus can be called a fetal death. The model law requirement is twenty completed weeks or more, but our law allows for less than that when provided by rules of the state department of health. The health department does not now, nor have they ever had, to my knowledge, a rule on fetal death for less than twenty weeks. Events prior to twenty weeks gestation are referred to as miscarriages and are not registered as a vital event. We are asking for removal of that part of subsection 1 to reflect the current model law and current practice within our state and relates back to the slight modification to the definition of fetal death, which the House added for consistency.

The proposed amendments in subsections 2 and 3, listed on page 7, reflect the current electronic process for fetal death registration that has been in place since January 1, 2008. Fetal deaths are typically handled by hospital birth staff and not by a funeral director. Although the term 'death' may imply involvement of a funeral home, these events are typically registered by hospital staff and may or may not involve a funeral home. The new language in subsection 2 and the removal of subsection 3 more accurately reflects the current registration process for fetal death. Subsections 4, 5 and 6 are subsequently renumbered 3, 4 and 5 respectively. The amount of time to file the medical cause of a fetal death is also being reduced from fifteen to ten days, as was previously mentioned for death registration. These changes are reflected on page 8, lines 1 and 3.

The next change involves correcting and amending vital records, starting at line 27 on page 8. The current language refers to changing a person's name only on a vital record in response to a court order. In fact, our office will accept a court order to amend any field on a record. The proposed change more accurately reflects the current processes governing the court order requirements.

The proposed additional language on line 29, allows our office to contact the court if the information in an order is known to be false or inaccurate. This kind of error does not happen very often, but our office would like the ability to contact the courts regarding a correction instead of following an order we know to be inaccurate.

The next change on page 9, line 7, relates back to the change that gives an unmarried couple the same rights as a married couple when it comes to naming their child, this time for a fetal death. Once an acknowledgment of paternity form is filed for the fetal death, this section of law allows us to update the child's surname based on what is requested by the parents on the paternity form.

The next change on page 9, line 23, changes the time frame when a birth record becomes an open record from one hundred years to one hundred and twenty-five years. This revision is based on model law and is being requested because more people are living past their 100<sup>th</sup> birthdays and we want the confidentiality of protected birth information to apply to everyone throughout their entire life.

At the bottom of page 9, starting on line 27, the department proposes adding language for those entities which have a personal property need for a complete death registration, as was mentioned previously in other proposed revisions.

The next proposed change on page 10, line 21 allows the department of health to electronically verify our vital event information for a variety of agencies that need this information to complete their official duties. This amendment applies to federal and state government agencies; agencies that pay benefits, such as pension plans and life insurance companies; physicians who track patients lost to care; attorneys working on estates; and any other agency for the purposes of fraud prevention. This addition applies to electronic verifications and certifications only and does not apply to certified paper copies. This section also allows the department to charge a fee for this purpose if necessary.

The final change in HB 1116 concerns persons who are required to keep records. This change, starting on page 11 on line 9, adds hospitals and other institutions to the list of those who must file monthly event reports with our office. This requirement has always been in place as a check and balance to insure that we

have every birth, death and fetal death filed each month. This manual process is needed even with our new electronic systems, and this correction more accurately describes the current process.

This concludes my testimony and I would be happy to answer any questions you may have.

15.8059.04001  
Title.

Prepared by the Legislative Council staff for  
Representative Oversen

March 9, 2015

*Attch #1*

*HB 1116*

*03/25/15*

*J# 29424*

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1116

- Page 1, line 10, overstrike "who" and insert immediately thereafter "that"
- Page 1, line 14, overstrike "that" and insert immediately thereafter "which"
- Page 1, line 21, overstrike "a"
- Page 1, line 22, overstrike "person's" and insert immediately thereafter "an individual's"
- Page 1, line 23, overstrike "prior to" and insert immediately thereafter "occurring before"
- Page 1, line 24, overstrike the comma
- Page 2, line 1, overstrike the first "the" and insert immediately thereafter ". The"
- Page 2, line 15, overstrike "persons" and insert immediately thereafter "individuals"
- Page 2, line 22, overstrike "a person's" and insert immediately thereafter "an individual's"
- Page 2, line 26, overstrike "a person" and insert immediately thereafter "an individual"
- Page 2, line 27, overstrike "pursuant to" and insert immediately thereafter "under"
- Page 3, line 1, overstrike "a person's" and insert immediately thereafter "an individual's"
- Page 3, line 4, overstrike "person" and insert immediately thereafter "individual"
- Page 5, line 2, overstrike "a person" and insert immediately thereafter "an individual"
- Page 5, line 7, overstrike "their" and insert immediately thereafter "the"
- Page 5, line 7, after "face" insert "of the record"
- Page 5, line 18, overstrike "which" and insert immediately thereafter "that"
- Page 5, line 20, replace "person" with "individual"
- Page 5, line 21, replace "person's" with "individual's"
- Page 5, line 30, overstrike "person" and insert immediately thereafter "individual"
- Page 6, line 2, overstrike "person" and insert immediately thereafter "individual"
- Page 6, line 25, overstrike "its" and insert immediately thereafter "the"
- Page 6, line 25, after "face" insert "of the death record"
- Page 7, line 6, overstrike "which" and insert immediately thereafter "that"
- Page 7, line 22, replace "person" with "individual"
- Page 8, line 17, overstrike "thereunder" and insert immediately thereafter "under this chapter"
- Page 8, line 28, overstrike "person" and insert immediately thereafter "individual"
- Page 8, line 28, overstrike "person's" and insert immediately thereafter "individual's"
- Page 8, line 29, replace the underscored comma with an underscored semicolon

1.2

Page 10, line 13, overstrike "Any individual" and insert immediately thereafter "A person"

Page 10, line 14, overstrike "individual" and insert immediately thereafter "person"

Renumber accordingly