

Representative Candice B. Pierucci proposes the following substitute bill:

BIRTH CERTIFICATE AMENDMENTS

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Candice B. Pierucci

Senate Sponsor: Kirk A. Cullimore

LONG TITLE

General Description:

This bill modifies provisions related to birth certificates.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ allows the Department of Health to request additional information for registering a birth under certain circumstances;
- ▶ requires the department to accept written requests from an individual to de-identify information associated with registering a birth;
- ▶ requires the department to de-identify information related to registering a birth under certain circumstances;
- ▶ requires the office to create a report regarding the elimination or reducing of birth certificate fees;
- ▶ creates a repeal date for the report; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:



26 None

27 **Utah Code Sections Affected:**

28 AMENDS:

29 **26-2-4**, as last amended by Laws of Utah 2007, Chapter 32

30 **26-2-12.6**, as last amended by Laws of Utah 2021, Chapter 284

31 **63I-2-226**, as last amended by Laws of Utah 2021, Chapters 277, 422, and 433



33 *Be it enacted by the Legislature of the state of Utah:*

34 Section 1. Section **26-2-4** is amended to read:

35 **26-2-4. Content and form of certificates and reports.**

36 (1) As used in this section, "additional information" means information that is beyond
37 the information necessary to comply with federal standards ~~§~~ ~~[- federal contracts,]~~ ~~←~~ ~~§~~ or state law
37a for
38 registering a birth.

39 ~~[(1)]~~ (2) Except as provided in Subsection ~~[(5)]~~ (6), to promote and maintain
40 nationwide uniformity in the vital records system, the forms of certificates, certification,
41 reports, and other documents and records required by this chapter or the rules implementing
42 this chapter shall include as a minimum the items recommended by the federal agency
43 responsible for national vital statistics, subject to approval, additions, and modifications by the
44 department.

45 ~~[(2)]~~ (3) Certificates, certifications, forms, reports, other documents and records, and
46 the form of communications between persons required by this chapter shall be prepared in the
47 format prescribed by department rule.

48 ~~[(3)]~~ (4) All vital records shall include the date of filing.

49 ~~[(4)]~~ (5) Certificates, certifications, forms, reports, other documents and records, and
50 communications between persons required by this chapter may be signed, filed, verified,
51 registered, and stored by photographic, electronic, or other means as prescribed by department
52 rule.

53 ~~[(5)]~~ (6) (a) The state:

54 ~~[(a)]~~ (i) may collect the Social Security number of a deceased individual; and

55 ~~[(b)]~~ (ii) may not include the Social Security number of an individual on a certificate of
56 death.

57 (b) For registering a birth, the department may not require an individual to provide
 58 additional information.

59 (c) The department may request additional information if the department provides a
 60 written statement that:

61 (i) discloses that providing the additional information is voluntary;

62 (ii) discloses how the additional information will be used and the duration of use;

63 (iii) describes how the department prevents the additional information from being used
 64 in a manner different from the disclosure given under Subsection (5)(c)(ii); and

65 (iv) includes a notice that the individual is consenting to the department's use of the
 66 additional information by providing the additional information.

67 (d) (i) Beginning July 1, 2022, an individual may submit a written request to ~~the~~
 67a department to ~~the~~

68 de-identify the individual's additional information ~~contained in the department's databases~~
 68a ~~contained in the department's databases~~.

69 (ii) Upon receiving the written request, the department shall de-identify the additional
 70 information.

71 (e) The department shall de-identify additional information contained in the
 72 department's databases before the additional information is held by the department for longer
 73 than six years.

74 Section 2. Section **26-2-12.6** is amended to read:

75 **26-2-12.6. Fee waived for certified copy of birth certificate -- Complimentary**
 76 **birth certificate.**

77 (1) Notwithstanding Section **26-1-6** and Section **26-2-12.5**, the department shall waive
 78 a fee that would otherwise be charged for a certified copy of a birth certificate, if the individual
 79 whose birth is confirmed by the birth certificate is:

80 (a) the individual requesting the certified copy of the birth certificate; and

81 (b) (i) homeless, as defined in Section **26-18-411**;

82 (ii) a person who is homeless, as defined in Section **35A-5-302**;

83 (iii) an individual whose primary nighttime residence is a location that is not designed
 84 for or ordinarily used as a sleeping accommodation for an individual;

85 (iv) a homeless service provider as verified by the Department of Workforce Services;

86 or

87 (v) a homeless child or youth, as defined in 42 U.S.C. Sec. 11434a.

88 (2) To satisfy the requirement in Subsection (1)(b), the department shall accept written
89 verification that the individual is homeless or a person, child, or youth who is homeless from:

90 (a) a homeless shelter~~[, as defined in Section 10-9a-526]~~;

91 (b) a permanent housing, permanent, supportive, or transitional facility, as defined in
92 Section 35A-5-302;

93 (c) the Department of Workforce Services;

94 (d) a homeless service provider as verified by the Department of Workforce Services;

95 or

96 (e) a local educational agency liaison for homeless children and youth designated under
97 42 U.S.C. Sec. 11432(g)(1)(J)(ii).

98 (3) Before October 1, 2022, the office shall submit a report to the Health and Human
99 Services Interim Committee providing several options on how the office can eliminate or
100 significantly reduce birth certificate fees.

101 Section 3. Section 63I-2-226 is amended to read:

102 **63I-2-226. Repeal dates, Title 26.**

103 (1) Subsection 26-1-7(1)(c), in relation to the Air Ambulance Committee, is repealed
104 July 1, 2024.

105 (2) Subsection 26-2-12.6(3), relating to the report for birth certificate fees, is repealed
106 December 31, 2022.

107 [~~2~~] (3) Section 26-4-6.1 is repealed January 1, 2022.

108 [~~3~~] (4) Section 26-6-41, in relation to termination of public health emergency powers
109 pertaining to COVID-19, is repealed on July 1, 2021.

110 [~~4~~] (5) Subsection 26-7-8(3) is repealed January 1, 2027.

111 [~~5~~] (6) Section 26-8a-107 is repealed July 1, 2024.

112 [~~6~~] (7) Subsection 26-8a-203(3)(a)(i) is repealed January 1, 2023.

113 [~~7~~] (8) Section 26-8a-211 is repealed July 1, 2023.

114 [~~8~~] (9) In relation to the Air Ambulance Committee, on July 1, 2024, Subsection
115 26-8a-602(1)(a) is amended to read:

116 "(a) provide the patient or the patient's representative with the following information
117 before contacting an air medical transport provider:

118 (i) which health insurers in the state the air medical transport provider contracts with;

119 (ii) if sufficient data is available, the average charge for air medical transport services
120 for a patient who is uninsured or out of network; and

121 (iii) whether the air medical transport provider balance bills a patient for any charge
122 not paid by the patient's health insurer; and".

123 [~~(9)~~] (10) Subsection 26-18-2.4(3)(e) is repealed January 1, 2023.

124 [~~(10)~~] (11) Subsection 26-18-411(8), related to reporting on the health coverage
125 improvement program, is repealed January 1, 2023.

126 [~~(11)~~] (12) Subsection 26-18-420(5), related to reporting on coverage for in vitro
127 fertilization and genetic testing, is repealed July 1, 2030.

128 [~~(12)~~] (13) In relation to the Air Ambulance Committee, July 1, 2024, Subsection
129 26-21-32(1)(a) is amended to read:

130 "(a) provide the patient or the patient's representative with the following information
131 before contacting an air medical transport provider:

132 (i) which health insurers in the state the air medical transport provider contracts with;

133 (ii) if sufficient data is available, the average charge for air medical transport services
134 for a patient who is uninsured or out of network; and

135 (iii) whether the air medical transport provider balance bills a patient for any charge
136 not paid by the patient's health insurer; and".

137 [~~(13)~~] (14) Subsection 26-33a-106.1(2)(a) is repealed January 1, 2023.

138 [~~(14)~~] (15) Title 26, Chapter 46, Utah Health Care Workforce Financial Assistance
139 Program, is repealed July 1, 2027.

140 [~~(15)~~] (16) Subsection 26-61-202(4)(b) is repealed January 1, 2022.

141 [~~(16)~~] (17) Subsection 26-61-202(5) is repealed January 1, 2022.

142 [~~(17)~~] (18) Section 26A-1-130, in relation to termination of public health emergency
143 powers pertaining to COVID-19, is repealed on July 1, 2021.

144 [~~(18)~~] (19) Section 26B-1-201.1 is repealed July 1, 2022.