

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:

- ▶ allows the Department of Health to request additional information for registering a birth under certain circumstances;
- ▶ requires the department to create a process for an individual to remove information associated with registering a birth;
- ▶ requires the department to delete or destroy 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:

None



26 **Utah Code Sections Affected:**

27 AMENDS:

28 **26-2-4**, as last amended by Laws of Utah 2007, Chapter 32

29 **26-2-12.6**, as last amended by Laws of Utah 2021, Chapter 284

30 **63I-2-226**, as last amended by Laws of Utah 2021, Chapters 277, 422, and 433

31

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

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

34 **26-2-4. Content and form of certificates and reports.**

35 (1) Except as provided in Subsection (5), to promote and maintain nationwide
36 uniformity in the vital records system, the forms of certificates, certification, reports, and other
37 documents and records required by this chapter or the rules implementing this chapter shall
38 include as a minimum the items recommended by the federal agency responsible for national
39 vital statistics, subject to approval, additions, and modifications by the department.

40 (2) Certificates, certifications, forms, reports, other documents and records, and the
41 form of communications between persons required by this chapter shall be prepared in the
42 format prescribed by department rule.

43 (3) All vital records shall include the date of filing.

44 (4) Certificates, certifications, forms, reports, other documents and records, and
45 communications between persons required by this chapter may be signed, filed, verified,
46 registered, and stored by photographic, electronic, or other means as prescribed by department
47 rule.

48 (5) (a) The state:

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

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

52 (b) For registering a birth, the department may not require an individual to provide
53 information that is not necessary for the department to comply with federal standards or
54 contracts, or state law.

55 (c) The department may request additional information beyond the information
56 necessary to comply with federal standards, contracts, or state law for registering a birth, if the

57 department:

- 58 (i) discloses that providing the additional information is voluntary;
 59 (ii) discloses how the information will be used and the duration of use;
 60 (iii) describes how the department prevents the information from being used in a
 61 manner different from the disclosure given under Subsection (5)(c)(ii); and
 62 (iv) obtains the individual's written consent to obtain and store the information.

63 (d) By July 1, 2022, the department shall create a process for an individual to remove
 64 additional information described in Subsection (5)(c) from the department's databases,
 65 including additional information previously collected.

66 (e) The department shall delete or destroy additional information described in
 67 Subsection (5)(c) from the department's databases before the data is held by the department for
 68 longer than six years.

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

70 **26-2-12.6. Fee waived for certified copy of birth certificate -- Complimentary**
 71 **birth certificate.**

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

- 75 (a) the individual requesting the certified copy of the birth certificate; and
 76 (b) (i) homeless, as defined in Section **26-18-411**;
 77 (ii) a person who is homeless, as defined in Section **35A-5-302**;
 78 (iii) an individual whose primary nighttime residence is a location that is not designed
 79 for or ordinarily used as a sleeping accommodation for an individual;
 80 (iv) a homeless service provider as verified by the Department of Workforce Services;

81 or

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

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

- 85 (a) a homeless shelter~~[, as defined in Section **10-9a-526**];~~
 86 (b) a permanent housing, permanent, supportive, or transitional facility, as defined in
 87 Section **35A-5-302**;

- 88 (c) the Department of Workforce Services;
- 89 (d) a homeless service provider as verified by the Department of Workforce Services;
- 90 or
- 91 (e) a local educational agency liaison for homeless children and youth designated under
- 92 42 U.S.C. Sec. 11432(g)(1)(J)(ii).

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

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

97 **63I-2-226. Repeal dates, Title 26.**

98 (1) Subsection [26-1-7\(1\)\(c\)](#), in relation to the Air Ambulance Committee, is repealed
99 July 1, 2024.

100 (2) Subsection [26-2-12.6\(3\)](#), relating to the report for birth certificate fees, is repealed
101 December 31, 2022.

102 [~~2~~] (3) Section [26-4-6.1](#) is repealed January 1, 2022.

103 [~~3~~] (4) Section [26-6-41](#), in relation to termination of public health emergency powers
104 pertaining to COVID-19, is repealed on July 1, 2021.

105 [~~4~~] (5) Subsection [26-7-8\(3\)](#) is repealed January 1, 2027.

106 [~~5~~] (6) Section [26-8a-107](#) is repealed July 1, 2024.

107 [~~6~~] (7) Subsection [26-8a-203\(3\)\(a\)\(i\)](#) is repealed January 1, 2023.

108 [~~7~~] (8) Section [26-8a-211](#) is repealed July 1, 2023.

109 [~~8~~] (9) In relation to the Air Ambulance Committee, on July 1, 2024, Subsection
110 [26-8a-602\(1\)\(a\)](#) is amended to read:

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

- 113 (i) which health insurers in the state the air medical transport provider contracts with;
- 114 (ii) if sufficient data is available, the average charge for air medical transport services
115 for a patient who is uninsured or out of network; and
- 116 (iii) whether the air medical transport provider balance bills a patient for any charge
117 not paid by the patient's health insurer; and".

118 [~~9~~] (10) Subsection [26-18-2.4\(3\)\(e\)](#) is repealed January 1, 2023.

119 [~~(10)~~] (11) Subsection 26-18-411(8), related to reporting on the health coverage
120 improvement program, is repealed January 1, 2023.

121 [~~(11)~~] (12) Subsection 26-18-420(5), related to reporting on coverage for in vitro
122 fertilization and genetic testing, is repealed July 1, 2030.

123 [~~(12)~~] (13) In relation to the Air Ambulance Committee, July 1, 2024, Subsection
124 26-21-32(1)(a) is amended to read:

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

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

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

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

132 [~~(13)~~] (14) Subsection 26-33a-106.1(2)(a) is repealed January 1, 2023.

133 [~~(14)~~] (15) Title 26, Chapter 46, Utah Health Care Workforce Financial Assistance
134 Program, is repealed July 1, 2027.

135 [~~(15)~~] (16) Subsection 26-61-202(4)(b) is repealed January 1, 2022.

136 [~~(16)~~] (17) Subsection 26-61-202(5) is repealed January 1, 2022.

137 [~~(17)~~] (18) Section 26A-1-130, in relation to termination of public health emergency
138 powers pertaining to COVID-19, is repealed on July 1, 2021.

139 [~~(18)~~] (19) Section 26B-1-201.1 is repealed July 1, 2022.