

COUNCIL OF THE DISTRICT OF COLUMBIA

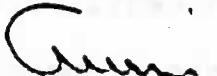
NOTICE

D.C. LAW 4-34

"Vital Records Act of 1981".

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P. L. 93-198, "the Act", the Council of the District of Columbia adopted Bill No. 4-161 on first and second readings, June 16, 1981 and June 30, 1981, respectively. Following the signature of the Mayor on July 20, 1981, this legislation was assigned Act No. 4-58, published in the July 24, 1981 edition of the D.C. Register, (Vol. 28 page 3271) and transmitted to Congress on July 23, 1981 for a 30-day review, in accordance with Section 602 (c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 4-34, effective October 8, 1981.



ARRINGTON DIXON
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

July 23, 24, 27, 28, 29, 30, 31

August 3, 4

September 9, 10, 11, 14, 15, 16, 17, 18, 21, 22, 23, 24, 25, 28, 29, 30

October 1, 2, 5, 6, 7

D.C. LAW 4-34
EFFECTIVE DATE OCT 08 1981

AN ACT

D.C. ACT 4-58

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JUL 20 1981

To regulate the reporting, maintenance, issuance, and confidentiality of certain vital records.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA.

That this act may be cited as the "Vital Records Act of 1981".

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D.C.Code,
title 6,
new chapter 3
(1973 ed.)

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Sec. 2. Definitions

Unless otherwise specified as used in this
act, the term:

D.C.Code,
sec. 6-301
(1973 ed.)

- (1) "Court" means the Superior Court of the District of Columbia established by D.C. Code, sec. 11-901.
- (2) "Day" means calendar day.
- (3) "Dead body" means a human body or such parts of such human body from the condition of which it may be reasonably concluded that death recently occurred.
- (4) "District" means within the geographical boundaries of the District of Columbia.
- (5) "Fetal death" means death prior to the complete expulsion or extraction from its mother of a product of a human

conception, irrespective of the duration of pregnancy. The death is indicated by the fact that after such expulsion or extraction the fetus does not breathe or show any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles. The term "fetal death" does not include an induced termination of pregnancy.

- (6) "File" means the presentation of a vital record for registration.
- (7) "Final disposition" means the burial, interment, cremation, removal from the District, or other authorized disposition of a dead body or fetus.
- (8) "Institution" means any establishment, public or private, which provides in-patient medical, surgical, or diagnostic care or treatment, or nursing, custodial, or domiciliary care, or to which persons are committed by law.
- (9) "Live birth" means the complete expulsion or extraction from its mother of a

product of human conception, irrespective of the duration of pregnancy, which, after such expulsion or extraction, breathes, or shows any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles, whether or not the umbilical cord has been cut or the placenta is attached.

(10) "Person" means an individual, a trust, an estate, a partnership, a corporation (including associations, joint stock companies, and insurance companies), the District government, or an agency or instrumentality of the District government.

(11) "Physician" means an individual authorized to practice medicine or osteopathy in the District.

(12) "Registrar" means the person appointed by the Director of the Department of Human Services to administer the system of vital records for the District government under this act.

- (13) "Registration" or "Register" means the acceptance of vital records by the Registrar and the incorporation of vital records provided for in this act into his or her official records.
- (14) "System of vital records" means the registration, collection, preservation, amendment, and certification of vital records, the collection of other reports required by this act, and activities related thereto.
- (15) "Vital records" means certificates or reports of birth, death, marriage, divorce, annulment, and data related thereto which is permitted to be gathered under this act.
- (16) "Vital statistics" means the data derived from certificates and reports of birth, death, fetal death, marriage, divorce, annulment, and related reports.

Sec. 3. Vital Records System

The Mayor shall establish a Vital Records system consistent with this act for the reporting.

D.C.Code,
sec. 6-302
(1973 ed.)

maintenance, issuance, and confidentiality of vital records.

Sec. 4. Appointment and Duties of Registrar

The Director of the Department of Human Services shall appoint the Registrar who shall:

D.C.Code,
sec. 6-303
(1973 ed.)

- (a) Be in charge of administering the vital records system and be the custodian of its records; and
- (b) Develop and distribute forms or other means for transmitting data to carry out the reporting and registration purposes of this act.

Sec. 5. General Requirements

(a) Each certificate, record, report, and other document required by this act shall be on a form or in a format prescribed by the Registrar.

D.C.Code,
sec. 6-304
(1973 ed.)

(b) Each vital record shall contain the date of registration.

(c) Information required in a certificate or report may be filed and registered by photographic, electronic, or other means as prescribed by the Registrar.

(d) Each form may include each item recommended by the federal agency responsible for national vital statistics.

Enrolled Original

Sec. 6. Birth Registration

(a) A certificate of birth for each live birth which occurs in the District shall be filed as directed by the Registrar, within five (5) days after such birth, and shall be registered if it has been completed and filed in accordance with this act.

D.C.Code,
sec. 6-305
(1973 ed.)

(b) When a birth occurs in or enroute to an institution the person in charge of the institution or his or her designee shall collect the personal data, prepare the certificate, secure the signatures required, and file the certificate. The physician or other person in attendance at or immediately after the birth shall provide the medical information required in the certificate and certify to the facts of birth within seventy-two (72) hours after the birth. If the physician, or other person in attendance at or immediately after the birth, does not certify to the facts of birth within the seventy-two (72)-hour period, the person in charge of the institution or his or her designee shall certify to the facts of birth and complete the certificate.

Enrolled Original

(c) When a birth occurs outside an institution, the certificate shall be prepared and filed by one (1) of the following persons in the indicated order of priority:

- (1) The physician in attendance at the time of birth or in attendance immediately after the birth;
- (2) Any other person in attendance at the time of birth or in attendance immediately after the birth; or
- (3) 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.

(d) When a birth occurs on a moving conveyance within the United States and the child is first removed from the conveyance in the District, the birth shall be registered in the District, and the place where it is first removed shall be considered the place of birth. When a birth occurs on a moving conveyance while in international waters, air space, in a foreign country or its air space, and the child is first removed from the conveyance in the District, the

birth shall be registered in the District, but the certificate shall show the actual place of birth insofar as can be determined.

(e) For the purposes of preparation and filing a birth certificate the following rules apply:

(1) The certificate shall include the name of the mother of the child;

(2) If the mother was married at the time of either conception or birth, or between conception and birth, the name of the husband shall be entered on the certificate as the father of the child, unless parentage has been determined otherwise by the Court pursuant to D.C. Code, sec. 16-909 et seq.;

(3) If the mother was not married at the time of either conception or birth or between conception and birth, the name of the father shall only be entered on the certificate with the written consent of the mother and the person to be named as the father, in which case, upon written request to the Registrar by both parents, the surname of the child shall be entered on the certificate as that of the father;

(4) If the father is not named on the certificate of birth, no other information about the father shall be entered on the certificate; and

(5) In all other cases, the surname of the child shall be the legal surname of the mother at the time of birth.

(a) Either of the parents of the child, or other informant, shall confirm with his or her signature the accuracy of the personal data entered on the certificate before the certificate is filed.

Sec. 7. Infants of Unknown Parentage;

Foundling Registration

D.C.Code,
sec. 6-306
(1973 ed.)

(a) A person who assumes legal custody of a live born infant of unknown parentage shall report the following information to the Registrar, within five (5) days after taking custody:

(1) Date and place child was found;

(2) Sex, race, and approximate birth date of child;

(3) Name and address of the person or institution with whom the child has been placed for care;

(4) Name given to the child by the custodian of the child; and

(5) Any other data required by the Registrar.

(D) The place where the child was found shall be entered as the place of birth.

(C) A report registered under this section shall constitute the certificate of birth for the child.

(d) If the child is identified and a certificate of birth is obtained, the report registered under this section shall be sealed and placed in a special file and shall not be subject to inspection except upon order of the Court (or as provided by regulation).

Sec. 8. Delayed Filing and Registration of Birth

D.C.Code,
sec. 6-307
(1973 ed.)

(a) A certificate of birth may be filed after the five (5)-day period specified in section 6 if the person or institution filing the certificate meets the filing and registration requirements imposed by this section. The Registrar shall prescribe by regulation evidentiary requirements to substantiate facts of birth for those

certificates filed and registered after the five (5)-day period.

(b) A certificate of birth registered one (1) year or more after the date of birth shall be marked "Delayed" and show the date of the delayed registration on the face of the certificate.

(c) A written summary statement of the evidence submitted in support of the delayed registration shall be made by the Registrar on the certificate. Both the registrant and the Registrar shall sign the certificate and have the signatures notarized.

(d)(1) When an applicant does not submit the minimum documentation required in the regulations for delayed registration or when the Registrar has reasonable cause to question the validity or adequacy of the applicant's sworn statement or the documentary evidence, and if the deficiencies are not corrected, the Registrar shall not register the delayed certificate of birth. The Registrar shall state in writing to the applicant the reason for this action. Upon the

Registrar's refusal to register, the registrant shall have a cause of action in the Court to establish the date and place of birth and the parentage of the person whose birth is to be registered. The Registrar shall give the registrant written notice of this right.

(2) The Registrar may by regulation provide for the dismissal of an application which is not actively pursued.

Sec. 9. Judicial Procedure to Establish Facts of Birth

D.C.Code,
sec. 6-308
(1973 ed.)

(a) If a delayed certificate of birth is rejected under section 8, a complaint signed and sworn to by the petitioner may be filed with the Court for an order establishing a record of the date and place of the birth and the parentage of the person whose birth is to be registered. A complaint filed under this section shall be governed by the Rules of the Superior Court of the District of Columbia.

(b) Such petition shall allege:

- (1) That the person for whom a delayed certificate of birth is sought was born in the District;
- (2) That no certificate of birth of such person can be found in the District government vital records system;
- (3) That despite diligent efforts by the petitioner, he or she was unable to obtain the evidence required by this act and regulations issued pursuant to this act;
- (4) That the Registrar has refused to register a delayed certificate of birth; and
- (5) Any other information needed to establish the facts of birth.

(c) The petition shall be accompanied by a statement of the Registrar made in accordance with section 8 and all documentary evidence which was submitted to the Registrar in support of such registration.

(d) The Court shall issue an order to establish a certificate of birth if the Court finds, that the person for whom a delayed

certificate of birth is sought, was born in the District. The Court shall make findings as to the place and date of birth, parentage, and such other findings as may be required. The order shall include the birth data to be registered, a description of the evidence presented, and the date of the Court's action.

(e) The Court shall forward a certified copy of such order to the Registrar not later than the tenth day of the month following the month during which it was entered. The certified copy of the order shall cause the Registrar to execute a certificate of birth.

Sec. 10. Adoption Forms

(a) The Court shall cause to be prepared an adoption form for each adoption decreed by the Court. The form shall:

D.C.Code,
sec. 6-309
(1973 ed.)

- (1) State facts necessary to locate and identify the original certificate of birth of the adoptee;
- (2) Provide only such information as is necessary to establish a new certificate of birth for the adoptee;
- (3) Identify the adoption order; and

(4) Be certified by the Court.

(b) The petitioner for adoption or his or her attorney shall supply the information required by the Court to prepare an adoption form in format prescribed and furnished by the Registrar. The Department of Human Services or any person having knowledge of the facts shall supply the Court with any additional information necessary to complete the adoption form.

(c) The Court shall prepare an adoption form whenever an adoption decree is amended or invalidated. The adoption form shall identify the original adoption form and shall include any additional facts in the adoption decree necessary to properly amend the birth record.

(d) The Court shall forward to the Registrar adoption forms concerning decrees of adoption, invalidation of adoption, and amendments of decrees of adoption which were entered in the preceding month, together with such related reports as the Registrar may require no later than the final day of each calendar month.

(e) The Registrar shall forward any adoption form and certified copy of a Court decree

concerning any invalidation of adoption or amendment of a decree of adoption for persons born outside the District that he or she receives to the registrar in the state of the person's birth. If the birth occurred in a foreign country, the adoption form and decree shall be returned to the attorney or agency handling the adoption for submission to the appropriate federal agency.

Sec. 11. New Certificates of Birth Following Adoption, Parentage Determination, and Parentage Acknowledgment

D.C.Code,
sec. 6-310
(1973 ed.)

(a) The Registrar shall establish a new certificate of birth for a person born in the District, upon receipt of one (1) of the following documents:

- (1) An adoption form prepared according to section 10;
- (2) An adoption form prepared and filed according to the laws of a state or foreign country;
- (3) A certified copy of an order issued by the Court determining the parentage of such a person; or

(4) - A written acknowledgement of parentage of the person, pursuant to D.C. Code, sec. 16-2345 or section 20 of the Uniform Reciprocal Enforcement of Support Act, approved July 10, 1957 (71 Stat. 288; D.C. Code, sec. 30-320).

(b) The Registrar shall not establish a new certificate of birth if so requested by the adoptive parents pursuant to D.C. Code, sec. 16-314(a).

(c) The actual place and date of birth shall be shown on a new certificate of birth. The new certificate shall be substituted for the original certificate of birth in the files. The new certificate shall nowhere on its face show that parentage has been established by judicial process or by acknowledgement. The original certificate of birth and the evidence of adoption, parentage determination, or parentage acknowledgement shall not be subject to inspection: EXCEPT, That (1) by the Registrar only for the purpose of properly administering the vital statistics program under this act; or (2) upon order of the Court.

(d) A certificate of birth shall be amended upon receipt of an adoption form concerning an amended decree of adoption. The Registrar shall issue regulations to govern amendment of certificates of birth.

(e) The Registrar shall restore the original certificate of birth to its place in the files upon receipt of the report or decree of invalidation of adoption. The new certificate and evidence shall not be subject to inspection except upon order of the Court or as provided by regulations implementing this act.

(f) If no certificate of birth is on file for the person for whom a new birth certificate is to be established under this section, and the date and place of birth have not been determined in the adoption or paternity proceedings, a delayed certificate of birth shall be filed with the Registrar under section 8 or 9 before a new certificate of birth is established. The new birth certificate shall be prepared on the delayed birth certificate form.

(a) Each copy of the original certificate of birth shall be sealed from inspection when a new certificate of birth is established.

Sec. 12. Death Registration

D.C.Code,
sec. 6-311
(1973 ed.)

(a) The funeral director or person acting as such who first takes custody of the dead body shall file a certificate of death. He or she shall obtain the personal data from the next of kin or the best qualified person or source available and obtain the medical certificate required under this section.

(b) A certificate of death for each death which occurs in the District shall be filed as directed by the Registrar within five (5) days after death and before final disposition. The certificate shall be registered if it has been completed and filed according to this act.

(c) If the place of death is unknown but the dead body is found in the District, the certificate of death shall be completed and filed in the District. The place where the body is found shall be shown as the place of death. If the date of death is unknown, it shall be determined by approximation.

(d) When death occurs on a moving conveyance in the United States and the body is first removed from the conveyance in the District, the death shall be registered in the District and the place where it is first removed shall be considered the place of death. When a death occurs on a moving conveyance while in international waters or air space, or in a foreign country or its air space and the body is first removed from the conveyance in the District, the death shall be registered in the District, but the certificate shall show the actual place of death insofar as can be determined.

(e) Within forty-eight (48) hours after death, the physician in charge of a patient's care for the condition which resulted in death shall complete, sign, and return the medical certification portion of the death certificate to the funeral director, except when inquiry is required by the Office of the Chief Medical Examiner. In the absence of such physician or with his or her authorization, the certificate may be completed and signed by his or her associate physician, the chief medical officer of the

institution in which death occurred, or the physician who performed an autopsy upon the decedent, if that individual has access to the medical history of the case, views the deceased at or after death, and death is due to natural causes.

(f) When an inquiry is conducted by the Office of the Chief Medical Examiner, the medical examiner shall determine the cause of death, and complete, sign, and return the medical certification portion of the death certificate to the funeral director within forty-eight (48) hours after taking charge of the case.

(g) If the cause of death cannot be determined within forty-eight (48) hours after death, the medical certification shall be completed as provided by regulation. The physician completing the medical certification or medical examiner shall give the funeral director or person acting as the funeral director, notice of the reason of the delay. Final disposition of the body shall not be made until authorized by the physician completing the medical certification or the medical examiner.

(h) When a death is presumed to have occurred within the District, but the body cannot be located, a death certificate shall be prepared by the Registrar upon receipt of an order of the Court pursuant to D.C. Code, sec. 14-701. The Court order shall include a finding of facts necessary for completion of the death certificate. The death certificate shall be marked "Presumptive", show on its face the date of registration, identify the Court, and state the date of the decree.

Sec. 13. Delayed Filing and Registration of Death

(a) A delayed certificate of death may be filed in accordance with regulations issued by the Registrar, when a death occurring in the District has not been registered within the time period specified in section 12. Any delayed certificate shall be registered subject to such evidentiary requirements as the Registrar shall prescribe by regulation in order to substantiate the alleged facts of death.

D.C.Code,
sec. 6-312
(1973 ed.)

(b) A certificate of death registered one (1) year or more after the date of death shall be

marked "Delayed" and shall show on its face the date of the delayed registration.

Sec. 14. Reports of Fetal Deaths

(a) Each fetal death of twenty (20) completed weeks gestation or more, calculated from the date that the last normal menstrual period began to the date of delivery, or a weight of five hundred (500) grams or more, which occurs in the District shall be reported as directed by the Registrar within five (5) days after occurrence. For purposes of preparing and filing a fetal death report the following rules apply:

(1) When such fetal death occurs in an institution, the person in charge of the institution or his or her designee shall prepare and file the report required by this section;

(2) When such fetal death occurs outside an institution, the physician in attendance at the delivery or immediately after delivery shall prepare and file the report required by this section.

(3) When a fetal death required to be reported under this section occurs without medical attendance at or immediately after the delivery,

D.C.Code,
sec. 6-313
(1973 ed.)

the Medical Examiner shall prepare and file the fetal death report.

(4) When such fetal death occurs on a moving conveyance and the fetus is first removed from the conveyance in the District, the fetal death shall be reported in the District. The place where the fetus was first removed from the conveyance shall be considered the place of fetal death.

(5) When a dead fetus is found in the District and the place of fetal death is unknown, the fetal death shall be reported in the District and the place where the dead fetus is found shall be considered the place of fetal death.

(b) The name of the mother and father shall be entered on each fetal death report in accordance with the provisions of section 6.

(c) Each report required in this section is a statistical report to be used only for medical and health purposes and shall not be incorporated into the permanent official records of the system of vital records. A schedule for the disposition of these reports shall be provided for by regulation.

Sec. 15. Authorization for Final Disposition

D.C.Code,
sec. 6-314
(1973 ed.)

(a) The funeral director or person acting as such or person who first assumes custody of a dead body, before he or she may dispose of the body, must have (1) authorization for final disposition of the body from the next of kin, and (2) a death certificate. If the body is to be cremated, authorization for cremation must also be obtained from the Medical Examiner.

(b) Before final disposition of a dead fetus, regardless of the duration of pregnancy, the funeral director, the person in charge of the institution, or other person responsible for final disposition of the fetus, shall get authorization from the next of kin for final disposition.

(c) A dead body may be moved from the place of death for the purpose of being prepared for final disposition only with the consent of the physician or medical examiner who certifies the cause of death.

(d) Authorization for final disposition of a dead body or fetus brought into the District, issued by another state and accompanying the dead body or fetus, is sufficient authority for final disposition in the District.

(e) A sexton or person in charge of a place for interment or other disposition of dead bodies may not inter or allow interment or other disposition of a dead body or fetus unless it is accompanied by authorization for final disposition.

(f) Each person in charge of a place for final disposition shall include the date of disposition in the authorization and shall sign and return the authorization to the funeral director or person acting as the funeral director, within ten (10) days after the date of disposition. When there is no person in charge of the place for final disposition, the funeral director or his or her designee shall endorse the authorization. At the close of each calendar month the funeral director or the person acting as the funeral director shall transmit to the Mayor all endorsed authorizations received during the month.

(g) Authorization for disinterment and reinterment is required before disinterment of a dead body or fetus. The authorization may be issued by the Registrar to a licensed funeral

director or person acting as such, upon proper application.

Sec. 16. Marriage Registration

(a) Each completed application and completed license for each marriage performed in the District on or after the effective date of this act, shall be filed with the Registrar and shall be registered if it has been completed and filed in accordance with this act.

(b) The Court shall complete and forward to the Registrar on or before the thirtieth day of each calendar month the completed applications and completed licenses returned to the Court during the preceding calendar month.

(c) A marriage record not filed within the required time may be registered according to regulations issued by the Registrar.

Sec. 17. Divorce and Annulment Registration

(a) A record of each divorce and annulment granted by the Court shall be filed with the Registrar and shall be registered if it has been completed and filed in accordance with this section. The record shall be prepared by the plaintiff or his or her legal representative and

D.C.Code,
sec. 6-315
(1973 ed.)

D.C.Code,
sec. 6-316
(1973 ed.)

shall be presented to the clerk of the Court with the complaint for divorce or annulment in accordance with the Rules of the Superior Court of the District of Columbia.

(b) The Court shall complete and forward to the Registrar on or before the twentieth day of each calendar month the records of each divorce or annulment decree granted during the preceding calendar month.

Sec. 18. Amendment of Vital Records

(a) The Registrar shall issue regulations governing amendment of vital records, which shall protect the integrity and accuracy of the vital records. A certificate, or report registered under this act may be amended only in accordance with this act and regulations issued under this act.

D.C.Code,
sec. 6-317
(1973 ed.)

(b) Except as otherwise provided in this section, a certificate or report that is amended under this section shall be marked "Amended". The date of amendment and a summary description of the evidence submitted in support of the amendment shall be endorsed on or made a part of the records. The Registrar shall issue regulations

which prescribes the conditions under which additions or minor corrections may be made to certificates or reports, within one (1) year after the date of the event without the certificate or record being marked "Amended".

(c) Upon receipt of a certified copy of an order of a court of competent jurisdiction changing the name of a person born in the District and upon request of such person, his or her guardian or legal representative, or in the case of a minor, his or her parents, the Registrar shall amend the certificate of birth to show the new name.

(d) Upon receipt of a certified copy of an order of the Court indicating that the sex of an individual born in the District has changed by surgical procedure and that such individual's name has been changed, the certificate of birth of such individual shall be amended as prescribed by regulation.

(e) The Registrar shall not amend the vital record if (1) an applicant does not submit the minimum documentation required in the regulations for amending a vital record, or (2) when the

Registrar has reasonable cause to question the validity or adequacy of the applicant's sworn statements or the documentary evidence, and the deficiencies are not corrected. The Registrar shall state in writing the reason for this action. Upon the Registrar's refusal to amend the vital record, the applicant shall have a cause of action in the Court to amend the vital record. The Registrar shall give the applicant written notice of this right.

Sec. 19. Reproduction of Vital Records

D.C.Code,
sec. 6-318
(1973 ed.)

The Registrar may prepare typewritten, photographic, electronic, or other reproductions of certificates or reports in order to preserve the vital records. Such reproductions shall be accepted as the original records when certified by the Registrar. The documents from which permanent reproductions have been made and verified may be disposed of as provided by regulation.

Sec. 20. Disclosure of Information from Vital Records

D.C.Code,
sec. 6-319
(1973 ed.)

(a) No person may permit inspection of, disclose information contained in, or copy or issue a copy of any part of a vital record except

as authorized by this act, regulations issued under and consistent with this act, or by order of the Court. Regulations issued under this section shall provide for adequate standards of security and confidentiality of vital records.

(b) The Registrar may authorize the disclosure of information contained in vital records for research purposes, and shall issue regulations governing such use of the records.

(c) Except for certificates, reports, or other documents which are sealed or confidential by statute, one hundred (100) years after the date of birth, and fifty (50) years after the date of death, marriage, divorce or annulment, records in the custody of the Registrar become public records. The Registrar shall issue regulations to provide for continued safekeeping of these records and to allow information in these records to be made available to the public.

Sec. 21. Copies or Data from the System of
vital Records

(a) Upon receipt of a written application the Registrar shall issue a certified copy of all or part of a vital record in his or her custody to

D.C.Code,
sec. 6-320
(1973 ed.)

any applicant having a direct and tangible interest in the vital record. Each copy issued shall show the date of registration. A copy issued from records marked "Delayed" or "Amended" shall show the date of registration and the effective date. The documentary evidence used to establish a delayed certificate shall be shown on each copy issued.

For purposes of this subsection the following rules apply:

(1) The registrant, a member of his or her immediate family, his or her guardian, or their respective legal representatives shall be considered to have a direct and tangible interest. Others may demonstrate a direct and tangible interest when information is needed for determination or protection of a personal or property right.

(2) The term "legal representative" shall include an attorney, physician, funeral director, or other authorized agent acting in behalf of the registrant or his or her family.

(3) The natural parents of adopted children, when neither has custody, and commercial

firms or agencies requesting listings of names and addresses shall not be considered to have a direct and tangible interest.

(b) A certified copy of all or part of a vital record, issued in accordance with subsection (a), shall be considered for all purposes the same as the original and shall be prima facie evidence of the facts stated in the record. The evidentiary value of a certificate or record filed more than one (1) year after the event or a record which has been amended shall be determined by the judicial or administrative body or official before whom the certificate is offered as evidence.

(c) The Registrar may supply copies or data from the system of vital records to the Federal agency responsible for national vital statistics, as that agency may require for national statistics purposes, if the Federal agency shares in the cost of collecting, processing, and transmitting such data. The data shall not be used for other than statistical purposes by the Federal agency without authorization from the Registrar.

(d) Federal, State, District, and other public or private agencies may upon request be

furnished copies or data from the system of vital records for statistical or administrative purposes upon such terms or conditions as may be prescribed by regulation. The copies or data shall not be used for purposes other than those for which they were requested.

(e) The Registrar may, by agreement, transmit copies of records and other reports required by this act to offices of vital records outside the District, when such records or other reports relate to residents of those jurisdictions or persons born in those jurisdictions. The agreement shall require that the copies be used for statistical and administrative purposes only and provide for the retention and disposition of such copies. Copies received by the Registrar from offices of vital records in the States shall be handled in the same manner as prescribed in this section.

(f) No person shall prepare or issue any certificate which purports to be an original, certified copy, or copy of a vital record except as authorized in this act or regulations issued under this act.

Sec. 22. Fees for Copies and Searches

(a) The Mayor shall issue regulations prescribing the fees to be paid for certified copies of certificates and records, for a search of the files or records when no copy is made, and for copies or information provided for research, statistical, or administrative purposes.

(b) The fees collected shall be deposited into the general fund of the District government.

Sec. 23. Persons Required to Keep Records

(Persons in charge of Institutions;
Funeral Directors; Embalmers; Sextons;
and Other Persons)

(a) A person in charge of an institution shall keep a record of personal data concerning each person admitted or confined to their institution. This record shall only include such information as required under this act for completion of certificates of birth and death and the reports of fetal death. The person being admitted or confined shall provide the information at the time of admission. If that person is unable to provide the necessary information, a relative or other person familiar with the

D.C.Code,
sec. 6-321
(1973 ed.)

D.C.Code,
sec. 6-322
(1973 ed.)

pertinent facts shall supply the information. The record shall include the name and address of the person providing the information.

(b) When a dead body or dead fetus is released or disposed of by an institution, the person in charge of the institution shall keep a record showing the name of the decedent, date of death, name and address of the person to whom the body or fetus is released, and the date of removal from the institution. If final disposition is made by the institution, the date, place, and manner of disposition shall also be recorded.

(c) A funeral director, embalmer, sexton, or other person who removes from the place of death, transports, or makes final disposition of a dead body or fetus, shall keep a record that identifies the body, and includes information pertaining to his or her receipt, removal, delivery, burial, or cremation of such body as may be required by regulations. This requirement supplements any other filing or reporting requirement imposed by this act or regulations.

(d) Records maintained under this section shall be retained for not less than five (5) years

and shall be made available for inspection by the Registrar according to regulation.

Sec. 24. Persons Required to Furnish Information

D.C.Code,
sec. 6-323
(1973 ed.)

(a) A person with information needed to complete a certificate or report required under this act regarding any birth, death, fetal death, marriage, divorce, or annulment shall give such information to the Registrar upon request.

(b) Not later than the tenth day of the month following the month of occurrence, the administrator of each institution shall send to the Vital Records Section a list showing each birth and death occurring in that institution during the preceding month.

(c) Not later than the tenth day of the month following the month of occurrence, each funeral director shall send to the Registrar a list showing each dead body embalmed or otherwise prepared for final disposition or finally disposed of by the funeral director during the preceding month.

Sec. 25. Matching of Birth and Death Certificates

D.C.Code,
sec. 6-324
(1973 ed.)

The Registrar is authorized to match birth and death certificates in accordance with written regulations issued by the Mayor to prove beyond a reasonable doubt the fact of death, and to post the facts of death to the appropriate birth certificate. Copies issued from birth certificates marked deceased shall be similarly marked.

Sec. 26. Penalties

(a) A fine of not more than two hundred dollars (\$200) or imprisonment of not more than ninety (90) days, or both, shall be imposed on:

D.C.Code,
sec. 6-325
(1973 ed.)

(1) Any person who willfully and knowingly violates any of the provisions of this act or refuses to perform any of the duties imposed upon him or her by this act or regulations issued under this act; or

(2) Any person who willfully or negligently makes a false certification in any document required by this act.

Sec. 27. Authority To Issue Regulations

The Registrar may issue regulations as necessary to carry out the purposes of this act.

D.C.Code,
sec. 6-326
(1973 ed.)

The regulations shall be issued according to title

I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Code, sec. 1-1501 et seq.).

Sec. 28. Severability Clause

If any provision of this act or its application to a particular person or circumstance is held invalid, such invalidity does not affect other provisions or applications.

D.C.Code,
sec. 6-327
(1973 ed.)

Sec. 29. Amendments

(a) D.C. Code sec. 16-2348(a) is amended in the third sentence by striking the phrase "Director of Public Health" and inserting the word "Registrar" in lieu thereof.

D.C.Code,
sec. 16-2348
(1973 ed.)

(b) The eighth paragraph of section 2 of the Joint resolution legalizing the health ordinances and regulations for the District of Columbia, approved April 24, 1880 (21 Stat. 305; D.C. Code, sec. 6-112) is amended to read as follows:

D.C.Code,
sec. 6-112
(1973 ed.)

"Eighth. Regulations and ordinances cited in paragraphs one through seven of this section are legalized and made valid; and the penalties therein provided respectively for violations thereof, may be imposed and enforced for the violations of the same respectively as provided by

section 27 of the ordinances passed November 19,
1875.".

(c) An Act To establish a code of law for the District of Columbia, approved March 3, 1901 (31 Stat. 1297; D.C. Code, sec. 27-101 et seq.) is amended as follows:

(1) Section 675 (D.C. Code, sec. 27-119a) is amended to read as follows:

D.C.Code,
sec. 27-119a
(1973 ed.)

"Sec. 675. The Council of the District of Columbia may, by act, authorize (a) tissue banks operating pursuant to the District of Columbia Tissue Bank Act, approved September 10, 1962 (76 Stat. 534; D.C. Code, sec. 2-251 et seq.), or (b) other persons subject to regulations made pursuant to the Tissue Bank Act or the District of Columbia Anatomical Gift Act, approved May 26, 1970 (84 Stat. 266; D.C. Code, sec. 2-271 et seq.), or both, to remove, transport, or dispose of tissue taken from such dead body.".

(2) Section 677 (D.C. Code, sec. 27-120) is amended in the second sentence by striking in the first clause the word "such" and inserting the phrase "dead body" in lieu thereof;

D.C.Code,
sec. 27-120
(1973 ed.)

(3) Section 684 (D.C. Code, sec. 27-126)

is amended by striking the word "subchapter" and inserting the phrase "section 677 of An Act To establish a code of law for the District of Columbia, approved March 3, 1901 (31 Stat. 1297; D.C. Code, sec. 27-120)" in lieu thereof; and

D.C.Code,
sec. 27-126
(1973 ed.)

(4) Section 686 (D.C. Code, sec. 27-128)

is amended by striking the phrase "27-119a" and inserting the phrase "subchapter (except sections 675 and 676)" in lieu thereof.

D.C.Code,
sec. 27-128
(1973 ed.)

(d) Section 1(q) of An Act To repeal the act approved March 3, 1897, and to amend the Act approved December 20, 1944 relating to fees for transcripts of certain records in the District of Columbia, approved August 21, 1959 (73 Stat. 414; D.C. Code, sec. 1-244(q)) is amended to read as follows:

D.C.Code,
sec. 1-244
(1973 ed.)

"(q) The Mayor of the District of Columbia may fix, assess, and collect fees for copies of orders, regulations, permits, certificates, and transcripts of records furnished by the District of Columbia, including, but not limited to, transcripts of records of births and deaths. Such fees shall not exceed the reasonably estimated

cost of providing such copies, certificates, and transcripts, and shall be deposited into the general fund of the District of Columbia government.".

(e) D.C. Code, sec. 16-309(b) is amended as follows:

D.C.Code,
sec. 16-309

(1) By striking the phrase "and" at the end of subparagraph (2);

(2) By striking the period at the end of subparagraph (3) and inserting the phrase "; and" in lieu thereof; and

(3) By adding at the end thereof the following new subparagraph to read:

"(4) the adoption form has been completed by the petitioner pursuant to section 10 of the Vital Records Act of 1981.".

(f) D.C. Code, sec. 16-314 is amended as follows:

D.C.Code,
sec. 16-314

(1) Subsection (a) is amended to read as follows:

"(a) Upon the issuance of a final decree of adoption, an adoption form shall be sent to the Registrar pursuant to the Vital Records Act of 1981. Unless otherwise requested in the petition

by the adopters, the Registrar shall cause to be made a new record of the birth in the new name with the names of the adopters and shall then cause the original birth certificate and the order of the Court to be sealed and filed. The sealed package may be opened only by order of the Court or by the Registrar to properly administer the Vital Records of Act 1981.".

(2) Subsection (b) is amended to read as follows:

"(b) If the adoption occurred outside the District either before or after August 25, 1937, a new certificate of birth shall be made pursuant to section 11 of the Vital Records Act of 1981. The Registrar shall seal the original birth certificate. The sealed original birth certificate may be opened only by order of a court of competent jurisdiction or by the Registrar to properly administer the Vital Records Act of 1981."

(q) D.C. Code, sec. 16-2345 is amended by striking the phrase "Director of Public Health" and inserting the word "Registrar" in lieu thereof.

D.C.Code,
sec. 16-2345

(h) D.C. Code, sec. 16-2346 is amended as follows:

D.C.Code,
sec. 16-2346

(1) Subsection (a) is amended by striking the phrase "Director of Public Health" and inserting the word "Registrar" in lieu thereof; and

(2) By striking subsection (b).

(i) Section 204 of the District of Columbia Administrative Procedure Act, effective March 29, 1977 (D.C. Law 1-96; D.C. Code, sec. 1-1524) is amended by adding a new subsection (d) at the end thereof to read as follows: "(d) The provisions of this title shall not apply to the Vital Records Act of 1981.".

D.C.Code,
sec. 1-1524
(1973 ed.)

Sec. 30. Repealer Provisions

(a) An Act To further define and enlarge the powers and duties of the Board of Health of the District of Columbia, approved June 23, 1874 (18 Stat. 283; D.C. Code, sec. 6-102) is repealed.

D.C.Code,
sec. 6-102
repealed

(b) The following provisions of An Act To establish a code of law for the District of Columbia, approved March 3, 1901 (31 Stat. 1189) are repealed:

(1) The first sentence of section 677
(D.C. Code, sec. 27-120) is repealed; and

(2) The first sentence of section 683
(D.C. Code, sec. 27-125) is repealed.

(c) An Act To provide for the better
registration of births in the District of
Columbia, and for other purposes, approved March
1, 1907 (34 Stat. 1010; D.C. Code, secs. 6-301-
304) is repealed.

(d) The following provisions of chapter 2 of
Title 8 of the District of Columbia Health
Regulations (published as title 8 of the District
of Columbia Regulations; 1962 revision, as
amended) are repealed:

- (1) section 8-2:101;
- (2) section 8-2:105;
- (3) section 8-2:110;
- (4) section 8-2:115;
- (5) section 8-2:120;
- (6) section 8-2:121;
- (7) section 8-2:122;
- (8) section 8-2:123;
- (9) section 8-2:124;
- (10) section 8-2:125;

D.C.Code,
sec. 27-120
(1973 ed.)

D.C.Code,
sec. 27-125
(1973 ed.)

D.C.Code,
secs. 6-301 to
6-304
(1973 ed.)
repealed

District of Columbi
Municipal Regulatio
(DCMR)

- (11) section 8-2:130;
- (12) section 8-2:131;
- (13) section 8-2:135;
- (14) section 8-2:136;
- (15) section 8-2:145;
- (16) section 8-2:146;
- (17) section 8-2:147;
- (18) section 8-2:155;
- (19) section 8-2:160;
- (20) section 8-2:202;
- (21) section 8-2:208;
- (22) section 8-2:216;
- (23) section 8-2:217;
- (24) section 8-2:218;
- (25) section 8-2:219;
- (26) section 8-2:226; and
- (27) section 8-2:240.

Sec. 31. Effective Date

(a) Sections 3, 4, and 27 (including the authority to issue regulations to implement the entire act) shall take effect after a thirty (30)-day period of Congressional review following approval by the Mayor (or in the event of veto by the Mayor, action by the Council of the District

D.C. Code,
sec. 6-328
(1973 ed.)

of Columbia to override the veto) as provided in sec. 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code, sec. 1-147(c)(1)).

(b) All other sections of this act shall take effect sixty (60) days after the date provided in subsection (a).

Anthony Dixon
Chairman
Council of the District of Columbia

M. Barry
Mayor
District of Columbia

APPROVED: July 20, 1981



COUNCIL OF THE DISTRICT OF COLUMBIA

Council Period Four

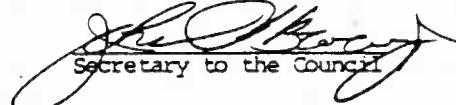
First Session

DOCKET NO: B 4-161 Item on Consent CalendarACTION: Adopted First Reading, 6/16/81 VOICE VOTE: UnanimousAbsent: Ray and Wilson ROLL CALL VOTE:

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. DIXON					KANE					SHACKLETON				
WINTER					MASON					SPAULDING				
CLARKE					MOORE, JR.					WILSON				
CRAWFORD					RAY									
JARVIS					ROLARK									

X - Indicates Vote A.B. - Absent N.V. - Not Voting

CERTIFICATION OF RECORD


Secretary to the Council

7/10/81

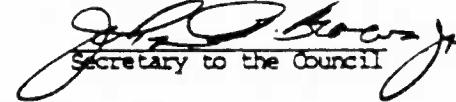
Date

 Item on Consent CalendarACTION: Adopted Final reading, 6/30/81 VOICE VOTE: UnanimousAbsent: Ray and Moore ROLL CALL VOTE:

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. DIXON					KANE					SHACKLETON				
WINTER					MASON					SPAULDING				
CLARKE					MOORE, JR.					WILSON				
CRAWFORD					RAY									
JARVIS					ROLARK									

X - Indicates Vote A.B. - Absent N.V. - Not Voting

CERTIFICATION OF RECORD


Secretary to the Council

7/10/81

Date

 Item on Consent Calendar

ACTION: _____

 VOICE VOTE: _____

Absent: _____

 ROLL CALL VOTE:

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. DIXON					KANE					SHACKLETON				
WINTER					MASON					SPAULDING				
CLARKE					MOORE, JR.					WILSON				
CRAWFORD					RAY									
JARVIS					ROLARK									

X - Indicates Vote A.B. - Absent N.V. - Not Voting

CERTIFICATION OF RECORD

Secretary to the Council

Date