

HOUSE BILL No. 1067

DIGEST OF INTRODUCED BILL

Citations Affected: IC 5-14-3-4; IC 16-18-2; IC 16-19-10-4; IC 16-37.

Synopsis: Birth and death records. Adopts privacy standards for disclosure of information contained in vital records, reports, and statistics. Requires the state department of health to adopt rules for inspections of vital records, reports, and statistics for genealogical studies. Allows the news media to inspect and copy vital records, reports, and statistics. Makes conforming changes.

Effective: July 1, 2006.

Cherry

January 4, 2006, read first time and referred to Committee on Public Health.

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Second Regular Session 114th General Assembly (2006)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2005 Regular Session of the General Assembly.

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HOUSE BILL No. 1067



A BILL FOR AN ACT to amend the Indiana Code concerning health.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 5-14-3-4, AS AMENDED BY P.L.210-2005,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2006]: Sec. 4. (a) The following public records are excepted
4 from section 3 of this chapter and may not be disclosed by a public
5 agency, unless access to the records is specifically required by a state
6 or federal statute or is ordered by a court under the rules of discovery:
7 (1) Those declared confidential by state statute.
8 (2) Those declared confidential by rule adopted by a public
9 agency under specific authority to classify public records as
10 confidential granted to the public agency by statute.
11 (3) Those required to be kept confidential by federal law.
12 (4) Records containing trade secrets.
13 (5) Confidential financial information obtained, upon request,
14 from a person. However, this does not include information that is
15 filed with or received by a public agency pursuant to state statute.
16 (6) Information concerning research, including actual research
17 documents, conducted under the auspices of an institution of



- 1 higher education, including information:
- 2 (A) concerning any negotiations made with respect to the
- 3 research; and
- 4 (B) received from another party involved in the research.
- 5 (7) Grade transcripts and license examination scores obtained as
- 6 part of a licensure process.
- 7 (8) Those declared confidential by or under rules adopted by the
- 8 supreme court of Indiana.
- 9 (9) Patient medical records and charts created by a provider,
- 10 unless the patient gives written consent under IC 16-39.
- 11 (10) Application information declared confidential by the
- 12 ~~twenty-first century research and technology fund~~ board **of the**
- 13 **Indiana economic development corporation** under ~~IC 4-4-5.1.~~
- 14 **IC 5-28-16.**
- 15 (11) A photograph, a video recording, or an audio recording of an
- 16 autopsy, except as provided in IC 36-2-14-10.
- 17 (12) A Social Security number contained in the records of a
- 18 public agency.
- 19 (b) Except as otherwise provided by subsection (a), the following
- 20 public records shall be excepted from section 3 of this chapter at the
- 21 discretion of a public agency:
- 22 (1) Investigatory records of law enforcement agencies. However,
- 23 certain law enforcement records must be made available for
- 24 inspection and copying as provided in section 5 of this chapter.
- 25 (2) The work product of an attorney representing, pursuant to
- 26 state employment or an appointment by a public agency:
- 27 (A) a public agency;
- 28 (B) the state; or
- 29 (C) an individual.
- 30 (3) Test questions, scoring keys, and other examination data used
- 31 in administering a licensing examination, examination for
- 32 employment, or academic examination before the examination is
- 33 given or if it is to be given again.
- 34 (4) Scores of tests if the person is identified by name and has not
- 35 consented to the release of the person's scores.
- 36 (5) The following:
- 37 (A) Records relating to negotiations between the Indiana
- 38 economic development corporation, the Indiana development
- 39 finance authority, the film commission, the Indiana business
- 40 modernization and technology corporation, or economic
- 41 development commissions with industrial, research, or
- 42 commercial prospects, if the records are created while

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negotiations are in progress.

(B) Notwithstanding clause (A), the terms of the final offer of public financial resources communicated by the Indiana economic development corporation, the Indiana ~~development~~ finance authority, ~~the Indiana film commission, the Indiana business modernization and technology corporation,~~ or economic development commissions to an industrial, a research, or a commercial prospect shall be available for inspection and copying under section 3 of this chapter after negotiations with that prospect have terminated.

(C) When disclosing a final offer under clause (B), the Indiana economic development corporation shall certify that the information being disclosed accurately and completely represents the terms of the final offer.

(6) Records that are intra-agency or interagency advisory or deliberative material, including material developed by a private contractor under a contract with a public agency, that are expressions of opinion or are of a speculative nature, and that are communicated for the purpose of decision making.

(7) Diaries, journals, or other personal notes serving as the functional equivalent of a diary or journal.

(8) Personnel files of public employees and files of applicants for public employment, except for:

- (A) the name, compensation, job title, business address, business telephone number, job description, education and training background, previous work experience, or dates of first and last employment of present or former officers or employees of the agency;
- (B) information relating to the status of any formal charges against the employee; and
- (C) the factual basis for a disciplinary action in which final action has been taken and that resulted in the employee being suspended, demoted, or discharged.

However, all personnel file information shall be made available to the affected employee or the employee's representative. This subdivision does not apply to disclosure of personnel information generally on all employees or for groups of employees without the request being particularized by employee name.

(9) Minutes or records of hospital medical staff meetings.

(10) Administrative or technical information that would jeopardize a record keeping or security system.

(11) Computer programs, computer codes, computer filing

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- 1 systems, and other software that are owned by the public agency
- 2 or entrusted to it and portions of electronic maps entrusted to a
- 3 public agency by a utility.
- 4 (12) Records specifically prepared for discussion or developed
- 5 during discussion in an executive session under IC 5-14-1.5-6.1.
- 6 However, this subdivision does not apply to that information
- 7 required to be available for inspection and copying under
- 8 subdivision (8).
- 9 (13) The work product of the legislative services agency under
- 10 personnel rules approved by the legislative council.
- 11 (14) The work product of individual members and the partisan
- 12 staffs of the general assembly.
- 13 (15) The identity of a donor of a gift made to a public agency if:
- 14 (A) the donor requires nondisclosure of the donor's identity as
- 15 a condition of making the gift; or
- 16 (B) after the gift is made, the donor or a member of the donor's
- 17 family requests nondisclosure.
- 18 (16) Library or archival records:
- 19 (A) which can be used to identify any library patron; or
- 20 (B) deposited with or acquired by a library upon a condition
- 21 that the records be disclosed only:
- 22 (i) to qualified researchers;
- 23 (ii) after the passing of a period of years that is specified in
- 24 the documents under which the deposit or acquisition is
- 25 made; or
- 26 (iii) after the death of persons specified at the time of the
- 27 acquisition or deposit.
- 28 However, nothing in this subdivision shall limit or affect contracts
- 29 entered into by the Indiana state library pursuant to IC 4-1-6-8.
- 30 (17) The identity of any person who contacts the bureau of motor
- 31 vehicles concerning the ability of a driver to operate a motor
- 32 vehicle safely and the medical records and evaluations made by
- 33 the bureau of motor vehicles staff or members of the driver
- 34 licensing medical advisory board regarding the ability of a driver
- 35 to operate a motor vehicle safely. However, upon written request
- 36 to the commissioner of the bureau of motor vehicles, the driver
- 37 must be given copies of the driver's medical records and
- 38 evaluations.
- 39 (18) School safety and security measures, plans, and systems,
- 40 including emergency preparedness plans developed under 511
- 41 IAC 6.1-2-2.5.
- 42 (19) A record or a part of a record, the public disclosure of which

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1 would have a reasonable likelihood of threatening public safety
2 by exposing a vulnerability to terrorist attack. A record described
3 under this subdivision includes:

4 (A) a record assembled, prepared, or maintained to prevent,
5 mitigate, or respond to an act of terrorism under IC 35-47-12-1
6 or an act of agricultural terrorism under IC 35-47-12-2;

7 (B) vulnerability assessments;

8 (C) risk planning documents;

9 (D) needs assessments;

10 (E) threat assessments;

11 (F) domestic preparedness strategies;

12 (G) the location of community drinking water wells and
13 surface water intakes;

14 (H) the emergency contact information of emergency
15 responders and volunteers;

16 (I) infrastructure records that disclose the configuration of
17 critical systems such as communication, electrical, ventilation,
18 water, and wastewater systems; and

19 (J) detailed drawings or specifications of structural elements,
20 floor plans, and operating, utility, or security systems, whether
21 in paper or electronic form, of any building or facility located
22 on an airport (as defined in IC 8-21-1-1) that is owned,
23 occupied, leased, or maintained by a public agency. A record
24 described in this clause may not be released for public
25 inspection by any public agency without the prior approval of
26 the public agency that owns, occupies, leases, or maintains the
27 airport. The public agency that owns, occupies, leases, or
28 maintains the airport:

29 (i) is responsible for determining whether the public
30 disclosure of a record or a part of a record has a reasonable
31 likelihood of threatening public safety by exposing a
32 vulnerability to terrorist attack; and

33 (ii) must identify a record described under item (i) and
34 clearly mark the record as "confidential and not subject to
35 public disclosure under IC 5-14-3-4(b)(19)(J) without
36 approval of (insert name of submitting public agency)".

37 This subdivision does not apply to a record or portion of a record
38 pertaining to a location or structure owned or protected by a
39 public agency in the event that an act of terrorism under
40 IC 35-47-12-1 or an act of agricultural terrorism under
41 IC 35-47-12-2 has occurred at that location or structure, unless
42 release of the record or portion of the record would have a

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1 reasonable likelihood of threatening public safety by exposing a
 2 vulnerability of other locations or structures to terrorist attack.
 3 (20) The following personal information concerning a customer
 4 of a municipally owned utility (as defined in IC 8-1-2-1):
 5 (A) Telephone number.
 6 (B) Address.
 7 (C) Social Security number.
 8 (21) The following personal information about a complainant
 9 contained in records of a law enforcement agency:
 10 (A) Telephone number.
 11 (B) The complainant's address. However, if the complainant's
 12 address is the location of the suspected crime, infraction,
 13 accident, or complaint reported, the address shall be made
 14 available for public inspection and copying.
 15 **(22) Vital records, vital reports, and vital statistics required**
 16 **to be kept confidential under IC 16-37-1-10.5 and**
 17 **IC 16-37-1-10.6.**
 18 (c) Nothing contained in subsection (b) shall limit or affect the right
 19 of a person to inspect and copy a public record required or directed to
 20 be made by any statute or by any rule of a public agency.
 21 (d) Notwithstanding any other law:
 22 **(1) a vital record that is a certificate or report of a death shall**
 23 **be made available for inspection and copying fifty (50) years**
 24 **after the creation of the record; and**
 25 **(2) a public record that is classified as confidential, other than a**
 26 **record concerning an adoption, shall be made available for**
 27 **inspection and copying seventy-five (75) years after the creation**
 28 **of that record.**
 29 (e) Notwithstanding subsection (d) and section 7 of this chapter:
 30 (1) public records subject to IC 5-15 may be destroyed only in
 31 accordance with record retention schedules under IC 5-15; or
 32 (2) public records not subject to IC 5-15 may be destroyed in the
 33 ordinary course of business.
 34 SECTION 2. IC 16-18-2-317.5 IS ADDED TO THE INDIANA
 35 CODE AS A NEW SECTION TO READ AS FOLLOWS
 36 [EFFECTIVE JULY 1, 2006]: **Sec. 317.5. "Research", for purposes**
 37 **of IC 16-37-1, has the meaning set forth in IC 16-37-1-0.5(1).**
 38 SECTION 3. IC 16-18-2-365.3 IS ADDED TO THE INDIANA
 39 CODE AS A NEW SECTION TO READ AS FOLLOWS
 40 [EFFECTIVE JULY 1, 2006]: **Sec. 365.3. "Vital records", for**
 41 **purposes of IC 16-37-1, has the meaning set forth in**
 42 **IC 16-37-1-0.5(2).**

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1 SECTION 4. IC 16-18-2-365.4 IS ADDED TO THE INDIANA
 2 CODE AS A NEW SECTION TO READ AS FOLLOWS
 3 [EFFECTIVE JULY 1, 2006]: **Sec. 365.4. "Vital reports", for**
 4 **purposes of IC 16-37-1, has the meaning set forth in**
 5 **IC 16-37-1-0.5(3).**

6 SECTION 5. IC 16-19-10-4 IS AMENDED TO READ AS
 7 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 4. The center shall do
 8 the following:

- 9 (1) Collect and process health data.
- 10 (2) Maintain statistics concerning gender and ethnicity and
 11 provide the information to the state department of health annually.
- 12 (3) Improve the quality, timeliness, and comparability of health
 13 statistics.
- 14 (4) Analyze and disseminate information about the health status
 15 of Indiana residents.
- 16 (5) Provide access to health data to persons who are permitted to
 17 obtain the data under this chapter, **IC 16-37-1-10.5, and**
 18 **IC 16-37-1-10.6.**
- 19 (6) Support the goals and objectives of the Cooperative Health
 20 Statistics System established by the federal National Center for
 21 Health Statistics.

22 SECTION 6. IC 16-37-1-0.5 IS ADDED TO THE INDIANA CODE
 23 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 24 1, 2006]: **Sec. 0.5. The following definitions apply throughout this**
 25 **chapter:**

- 26 (1) **"Research" means a systematic investigation designed**
 27 **primarily to develop or contribute to general knowledge.**
- 28 (2) **"Vital records" means certificates or reports of births and**
 29 **deaths.**
- 30 (3) **"Vital reports" means reports of fetal deaths and induced**
 31 **termination of pregnancy and related data.**

32 SECTION 7. IC 16-37-1-8 IS AMENDED TO READ AS
 33 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 8. (a) Except as
 34 provided in subsection (c); a local health officer shall provide a
 35 certification of birth, death, or stillbirth registration upon request by
 36 any person only if:

- 37 (1) the health officer is satisfied that the applicant has a direct
 38 interest in the matter;
- 39 (2) the health officer determines that the certificate is necessary
 40 for the determination of personal or property rights or for
 41 compliance with state or federal law; and
- 42 (3) the applicant for a birth certificate presents at least one (1)

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form of identification.
However, the local health officer must issue a certificate of an applicant's own birth registration.

(b) (a) A local health officer's decision whether or not to issue a certified copy of a birth certificate is subject to review by a court.

(c) (b) A local health officer may not issue a copy of a birth certificate of a missing child to which a notice has been attached under IC 10-13-5-11 without the authorization of the Indiana clearinghouse for information on missing children.

SECTION 8. IC 16-37-1-8.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 8.5. (a) Upon request by a parent of a stillborn child, a local health officer shall provide to the parent a certificate of birth resulting in stillbirth.

(b) A certificate of birth resulting in stillbirth provided under subsection (a) must contain the following:

- (1) The caption "Certificate of Birth Resulting in Stillbirth".
- (2) A space for the name of the stillborn child.

(c) A certificate provided under this section is in addition to a certificate of stillbirth registration provided under section 8 of this chapter.

(d) (c) For purposes of federal, state, and local taxes, the certificate provided under this section is not proof of a live birth.

(e) (d) A local health department may charge the same fee for a certificate provided under this section as the fee charged for a certificate of birth registration provided under section 8 10.6 of this chapter.

(f) (e) A certificate of birth resulting in stillbirth must be issued on tamper resistant paper.

SECTION 9. IC 16-37-1-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 10. (a) Except as provided in subsection (b), the records and files of the division of the state department concerning vital statistics are subject to this article and rules of the state department. Data contained in the records and files may be disclosed only as follows:

(1) The state registrar shall permit inspection of the records or issue a certified copy of a certificate or part of a certificate only if the state registrar is satisfied of the following:

- (A) That the applicant has a direct interest in the matter recorded.
- (B) That the information is necessary for the determination of personal or property rights or for compliance with state or federal law.

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1 The state registrar's decision is subject to review by the state
2 department or a court under this section:

3 (2) The state department may permit the use of data contained in
4 vital statistical records for research purposes only, but no
5 identifying use may be made of the data:

6 (3) In any extraordinary case that the state registrar determines is
7 a direct tangible and legitimate public interest:

8 (b) The birth record of an adopted child remains subject to the
9 confidentiality provisions of IC 31-19 regarding the release of adoption
10 information.

11 SECTION 10. IC 16-37-1-10.5 IS ADDED TO THE INDIANA
12 CODE AS A NEW SECTION TO READ AS FOLLOWS
13 [EFFECTIVE JULY 1, 2006]: **Sec. 10.5. (a) To:**

- 14 (1) protect the integrity of vital records and vital reports;
- 15 (2) ensure the proper use of vital records and vital reports;
- 16 (3) ensure the efficient and proper administration of the
- 17 system of vital statistics; and
- 18 (4) support public health uses of the data;

19 a person may not permit inspection of vital records and vital
20 reports, disclosure of information contained in vital records, or
21 copying or issuance of a copy of all or part of any vital record or
22 vital report unless authorized by this chapter, by rule, or by court
23 order. Rules adopted under this chapter must provide for adequate
24 standards of security and confidentiality of vital records and vital
25 reports.

26 (b) Disclosure of information that may identify any person or
27 institution named in a vital record or vital report may be made
28 only under rules that require submission of written requests for
29 information by researchers and execution of research agreements
30 that protect the confidentiality of the information provided.
31 Research agreements must prohibit the release by the researcher
32 of any information that might identify any person or institution,
33 as provided for in the agreement. This chapter does not prohibit
34 the release of information or data that would not identify a person
35 or institution named in a vital record or vital report. Information
36 that may identify a person named in a vital record or vital report
37 may be released to a person doing a genealogical study in
38 compliance with rules adopted by the state department under
39 IC 4-22-2.

40 (c) Notwithstanding subsection (b), vital records, vital reports,
41 and vital statistics must be made available for inspection and
42 copying by a local registrar under IC 16-20-1-7 to a person who is

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acting as a representative of the news media (as defined in IC 5-14-1.5-2(j)).

(d) An appeal from the decision of a registrar of vital records who refuses to disclose information from records as required by this section and rules adopted under this chapter must be made to the state registrar, whose decision is binding.

(e) Seventy-five (75) years after the date of a person's birth, the records of the person's birth in the custody of the state or local registrar must be available to the public without restriction in accordance with rules that provide for the continued safekeeping of the records.

(f) The state registrar or a local registrar may furnish copies of vital records, vital reports, or data to the federal agency responsible for national vital statistics as required for national statistics. To furnish the records, reports, or data, the state registrar must enter into an agreement with the federal agency, indicating the statistical or research purposes for which the records, reports, or data may be used. An agreement must also set forth the support to be provided by the federal agency for the collection, processing, and transmission of the records, reports, or data. Upon written request of the federal agency, the state registrar may approve, in writing, additional statistical or research uses of the records, reports, or data supplied under the agreement.

(g) A federal, state, or local governmental agency may, upon request, be furnished with copies of records or data from the system of vital statistics if the copies or data are used solely in the conduct of the official duties of the federal, state, or local governmental agency.

(h) The state registrar may, by agreement, transmit copies of vital records and other reports required by this chapter to offices of vital statistics outside Indiana if the records or other reports relate to residents of other states or persons born in the other states. An agreement must specify the statistical and administrative purposes for which the records may be used, and the agreement must provide instructions for the proper retention and disposition of copies. Copies received by the state data center from the office of vital statistics from another state must be handled in the same manner as state records are handled.

SECTION 11. IC 16-37-1-10.6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: **Sec. 10.6. (a) If the state registrar or a local registrar is satisfied that there is a direct interest in a**

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1 requested vital record, the state registrar or local registrar, as
2 authorized under IC 16-20-1-17, upon receipt of an application and
3 valid identification, shall issue a certified copy of a vital record or
4 a part of the vital record in the custody of the state or local
5 registrar to:

- 6 (1) the person listed on the record;
- 7 (2) the listed mother or father of the person;
- 8 (3) the grandparent of the person, when the grandparent is
9 the parent of the person listed as the mother or father of the
10 person;
- 11 (4) the spouse, sibling, or offspring of the person named on the
12 record;
- 13 (5) a person with a court ordered guardianship of the person
14 named on the record;
- 15 (6) a person authorized by a court order to receive the record;
- 16 or
- 17 (7) a person conducting a genealogical study in compliance
18 with rules adopted by the state department under IC 4-22-2.

19 Another person may be authorized to obtain certified copies if the
20 person demonstrates that the vital record is needed for the
21 determination or protection of personal or property rights. The
22 state department may adopt rules under IC 4-22-2 to specify who
23 may obtain copies of vital records filed under this chapter.

24 (b) All certified copies issued must have security features that
25 deter the vital record from being altered, counterfeited, duplicated,
26 or simulated without ready detection.

27 (c) A certified copy or other copy of a death certificate
28 containing cause of death information may not be issued except as
29 follows:

- 30 (1) Upon specific request of the spouse, child, parent, or other
31 next of kin of the decedent or respective authorized
32 representatives.
- 33 (2) A documented need for the cause of death to establish a
34 legal right or claim has been demonstrated.
- 35 (3) The request for the copy is made by or on behalf of an
36 organization that provides benefits to the decedent's survivors
37 or beneficiaries.
- 38 (4) Upon specific request by a local, state, or federal agency
39 for research or administrative purposes approved by the state
40 registrar.
- 41 (5) When needed for research activities approved by the state
42 or local registrar.

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(6) Upon receipt of an order from a court with jurisdiction ordering the release.

(7) A person conducting a genealogical study in compliance with a rule adopted by the state department under IC 4-22-2 proves a documented need for the death certificate.

(d) A certified copy of a vital record or any part of a record issued in accordance with this section is considered the same as the original and is prima facie evidence of the facts stated in the record if the evidentiary value of:

- (1) a certificate or record filed more than one (1) year after the event;
- (2) a record that has been amended; or
- (3) a certificate of foreign birth;

is determined by the judicial body, the administrative body, or the official before whom the certificate is offered as evidence.

(e) This section may not be construed to permit disclosure of information contained in the "Information for Medical and Health Use Only" section of the birth certificate unless specifically authorized by the state registrar or a local registrar for statistical or research purposes. Data obtained or acquired under this section are confidential and privileged and not subject to the subpoena power of the courts or other administrative agencies of the state.

(f) If the state registrar receives information that a certificate may have been registered with false or inaccurate information, the state registrar shall withhold issuance of any copy of the certificate pending an investigation by the state registrar. If, upon conclusion of the investigation, false or inaccurate information is not found, copies may be issued. If, upon conclusion of the investigation, false or inaccurate information is found, the state registrar shall remove the certificate from the file until the information is corrected or refer the matter to the appropriate law enforcement authorities if criminal activity is suspected. If the matter is referred to law enforcement authorities, the certificate, evidence, and information gathered by the state registrar shall be retained but is not subject to inspection or copying except upon order of a court with jurisdiction or by the state registrar for purposes of administering the vital statistics program.

(g) A person may not prepare or issue a certificate that appears to be an original, a certified copy, or a copy of a vital record except as authorized in this chapter or rules adopted under this chapter.

SECTION 12. IC 16-37-2-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 9. (a) The local health

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1 officer shall make a permanent record of the following from a birth
2 certificate:

- 3 (1) Name.
- 4 (2) Sex.
- 5 (3) Date of birth.
- 6 (4) Place of birth.
- 7 (5) Name of the parents.
- 8 (6) Birthplace of the parents.
- 9 (7) The date of filing of the certificate of birth.

10 ~~(b) Except as provided in subsection (c), the permanent record shall~~
11 ~~be open to public inspection.~~

12 ~~(c) (b)~~ The birth record of an adopted child remains subject to the
13 confidentiality provisions of IC 31-19 regarding the release of adoption
14 information.

15 SECTION 13. IC 16-37-3-9, AS AMENDED BY P.L.81-2005,
16 SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
17 JULY 1, 2006]: Sec. 9. (a) The local health officer shall, from the
18 stillbirth and death certificates, make a permanent record of the:

- 19 (1) name;
- 20 (2) sex;
- 21 (3) age;
- 22 (4) place of death;
- 23 (5) residence; and
- 24 (6) for a death certificate only:
 - 25 (A) residence addresses of the deceased during the two (2)
 - 26 years before the death; and
 - 27 (B) Social Security number;

28 of the deceased.

29 (b) ~~The records shall be open to public inspection.~~ Except as
30 provided in this subsection, the Social Security number is confidential
31 and may not be disclosed to the public. ~~After December 31, 2005,~~ The
32 Social Security number shall be disclosed to the secretary of state and
33 election division for voter list maintenance purposes under IC 3-7-26.3
34 and IC 3-7-45.

35 (c) The local health officer shall, not later than January 31, April 30,
36 July 31, and October 31 of each year, furnish to the county auditor the
37 records of all deaths within the officer's jurisdiction that occurred
38 during the previous three (3) months.

39 (d) The local health officer may make records of other data in
40 connection with deaths for statistical purposes or for the purpose of
41 planning health programs. Records under this subsection are not public
42 records.

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