

**PROPOSED REGULATION OF THE
STATE BOARD OF HEALTH**

LCB File No. R060-97

September 16, 1997

EXPLANATION--Matter in italics is new; matter in brackets [] is material to be omitted.

AUTHORITY: §§ 2 and 3, NRS 440.120 and 440.170; §4, NRS 440.120 and 440.175;
§5, NRS 440.120 and 440.670.

Section 1. Chapter 440 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 5, inclusive, of this regulation.

Sec. 2. *1. A person who wishes to examine a certificate must:*

- (a) Identify his relationship to the person who is named on the certificate;*
- (b) Specify the type of information he wishes to obtain by examining the certificate;*

and

- (c) Pay any applicable fees.*

2. The state registrar may allow a person to examine a certificate if:

- (a) The state registrar or his designee determines that the person has a direct and tangible interest in the matter recorded on the certificate;*
- (b) The state registrar or his designee determines that the certificate does not contain any information that is confidential or the disclosure of which would constitute an*

unwarranted invasion of privacy which would result in irreparable harm to the person named on the certificate or to the members of the immediate family of the person named on the certificate; or

(c) The person submits to the state registrar a copy of an order of a court of competent jurisdiction that states that the person may examine the certificate in its entirety.

3. The state registrar may allow a person who cannot comply with the requirements set forth in subsection 2 to examine an abbreviated form of the certificate that contains any information the state registrar has determined would not constitute an unwarranted invasion of privacy which would result in irreparable harm to the person named on the certificate or to the members of the immediate family of the person named on the certificate.

4. As used in this section, “examine” does not include obtaining a copy of a certificate.

Sec. 3. *Except as otherwise provided in section 4 of this regulation, the state registrar or his designee may provide an index that contains information from the vital statistics records that he maintains to a person who does not have a direct and tangible interest in that information if:*

1. The person who requests the information:

(a) Submits evidence that is satisfactory to the state registrar or his designee that the person is requesting the information for a legitimate research purpose;

(b) Specifically describes the type of information he is requesting; and

(c) Pays all applicable fees; and

2. The index contains:

(a) Only names of persons and their corresponding places and dates of birth or death;

or

(b) Other information set forth in the vital statistics records the state registrar maintains but does not identify the persons to whom that information relates.

The index must not contain any social security numbers or residential addresses.

Sec. 4. *The state registrar may furnish any federal, state, local or other public or private agency with any information contained in the vital statistics records he maintains if the agency:*

1. Is required by state or federal law to maintain the confidentiality of the information; or

2. Agrees in writing to maintain the confidentiality of the information.

Sec. 5. *A county health officer may issue an abstracted certificate of birth if the abstracted certificate contains at least the following information:*

1. Name of the person whose birth is recorded on the certificate;

2. Date of the birth of the person whose birth is recorded on the certificate;

3. Number of the original certificate;

4. Race or ethnicity of the person whose birth is recorded on the certificate;

5. *Maiden name of the mother of the person whose birth is recorded on the certificate;*

6. *Sex of the person whose birth is recorded on the certificate;*

7. *Date of issuance of the original certificate; and*

8. *Date of issuance of the abstracted certificate.*

Sec. 6. NAC 440.010 is hereby amended to read as follows:

440.010 As used in [~~NAC 440.010 to 440.200, inclusive,~~] *this chapter*, “state registrar” has the meaning ascribed to it in NRS 440.060. The term includes his appointed deputies.