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## VITAL RECORDS FORMS

### House Bill 4450 with committee amendment First Analysis (4-23-97)

**Sponsor: Rep. Michael Griffin**  
**Committee: Health Policy**

#### ***THE APPARENT PROBLEM:***

Generally, the state registrar's office, within the Department of Community Health, supplies those responsible for filing vital records -- county clerks, local registrars, hospitals, funeral homes, etc. -- with the forms for filing birth, death, marriage, and divorce records. The forms are printed in triplicate on a specific quality and type of paper (archival quality) and are stamped in numerical order. Several years ago, the Saginaw County Clerk's office began generating its own marriage forms via computer program rather than using the forms furnished by the state registrar's office. Information is typed into the computer, the marriage license applicants verify that the information on the screen is correct, and then three copies are printed. The software program was submitted to the state registrar for approval and received the registrar's endorsement. However, some feel that the language pertaining to forms used by local registrars needs to be clarified to include forms and formats approved by the state registrar. Legislation has therefore been proposed to permit local registrars to use and supply approved alternative forms or electronic formats in filing vital records and documents.

#### ***THE CONTENT OF THE BILL:***

Under current law, only forms furnished by the state registrar may be used for filing vital records and statistics. The bill would amend the Public Health Code to also allow forms or blanks, including but not limited to forms or blanks in an electronic format, approved by the state registrar to be used for such records. "Vital record" is defined in the code as being a certificate or registration of birth, death, marriage, divorce, or related data.

MCL 333.2815

#### ***FISCAL IMPLICATIONS:***

According to the Department of Community Health, the bill may result in a cost savings to the department on the printing of forms and, if appropriate, the electronic filing of vital records. (4-22-97) The House Fiscal

Agency reports that the bill may result in a minimal increase in local administrative costs. (4-21-97)

#### ***ARGUMENTS:***

##### ***For:***

According to the Department of Community Health, the use of computer software to generate vital records documents as part of an ongoing business practice could be more convenient and less costly for those responsible for filing the documents. Since the state registrar's office would have to approve an alternative form or format, most likely it would be identical to or similar to the forms currently furnished by the state.

##### ***Against:***

Some people, including employees of county clerks' offices, have expressed a concern with a possible increase in the fraudulent use of the various records. Currently, the forms furnished by the state registrar's office are on a certain type and quality of paper, and have a specified format. If the bill is enacted, county clerks may have to have copies of all approved forms and then cross-reference each record to verify if it has been recorded on an approved form. This could take both time and money to do, and could result in mistakes being made. As far as the recording of birth and death data, and electronic reporting, the Department of Community Health would have to adopt stringent policies to protect against possible fraudulent uses of self-generated forms and electronic transmissions. Though generally technology increases efficiency and lowers costs, sometimes it may be best to keep to proven, albeit "old-fashioned", methods if the practice affords greater safeguards.

##### ***Response:***

The bill requires that any alternate forms be "approved" by the state registrar. This could include requirements for the type of paper used as well as the actual format of the form. If security concerns can not be properly addressed, the registrar could simply maintain the status quo by not approving a particular form or method of recording. The bill, then, could allow businesses and

House Bill 4450 (4-23-97)

county clerk offices to generate forms that pose few problems with misuse, such as marriage licenses, and yet continue to require reporting on furnished forms for other vital records.

***POSITIONS:***

The Department of Community Health supports the bill.  
(4-22-97)

The Michigan Association of County Clerks has not taken a position on the bill, but does not object to the legislation. (4-22-97)

The Ingham County Clerk's Office opposes the bill at this time. (4-23-97)

Analyst: S. Stutzky

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