

Secretary of State
NOTICE OF PROPOSED RULEMAKING HEARING*
A Statement of Need and Fiscal Impact accompanies this form.

Oregon Health Authority, Public Health Division		333
Agency and Division	Administrative Rules Chapter Number	
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Rules Coordinator	Address	Telephone

RULE CAPTION

Identifying processes and requirements for establishing parentage of a child (SB 163, 2025)

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

Hearing Date	Time	Location	Hearings Officer
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Auxiliary aids for persons with disabilities are available upon advance request.

RULEMAKING ACTION

Secure approval of new rule numbers (Adopted or Renumbered rules) with the Administrative Rules Unit prior to filing.

ADOPT: OAR 333-011-0212, 333-011-0262, 333-011-0266, 333-011-0267, 333-011-0268, 333-011-0269, 333-011-0276

AMEND: OAR 333-011-0230, OAR 333-011-0275

REPEAL: OAR 333-011-0270

RENUMBER:

AMEND & RENUMBER:

Stat. Auth.: ORS 432.015; ORS 413.042

Other Auth.: ORS 432.005; 432.010; 432.030; 432.033

Stats. Implemented: ORS 109.002, 109.067, ORS 109.070, 432.075, ORS 432.083, ORS 432.088, ORS 432.093, ORS 432.098; 432.235; 432.245; 432.250; ORS 432.435

RULE SUMMARY

List each rule number that you are adopting, amending, or repealing and provide a summary of the changes made to each rule, providing detail on why the changes are needed and the impact of the changes. Please do not just state what the changes are since that will be available in the tracked changes version of the text.

Adopt OAR 333-011-0212

Standards for Reporting Live Births: Specifies the forms used by people who report births to collect the information for reports of live births submitted to the Center for Health Statistics. The rule outlines who is responsible for completing and signing the forms, how long the forms need to be retained by the reporting source and the restrictions for sharing the forms. The rule identifies the process for entering information in the state's birth reporting systems and how errors are corrected. This rule identifies standard forms and processes for gathering information for birth records. Many of the requirements of the rules are already established in current practice and do not reflect a change in protocol or obligations for reporters.

Amend OAR 333-011-0230

Registering Live Births that Occur Outside a Facility More Than One Year after the Date of Birth:
Updated language to reflect the repeal of OAR 333-011-0270.

Adopt OAR 333-011-0262

Adding Parents on Birth Report who Intend to Marry or Enter into Domestic Partnership: Establishes the process by which parents who are not married at the time of the child's birth may agree to add the second parent to a child's birth record by affirming their intent to marry at a later date. This rule is needed to clarify the requirements that must be met for a second parent to be added to the birth record based on the intent to marry, including that the parent must indicate their agreement to be added to the birth report by signing the birth worksheet. Identifies obligations for individuals reporting births where the second parent requests to be added to the birth record based on the intent to marry.

Adopt OAR 333-011-0266

Witnessed Voluntary Acknowledgment of Parentage: Establishes the Witnessed Voluntary Acknowledgment of Parentage form as required by ORS 432.098(1)(a). The rule also establishes the requirements for completing and submitting the form to add a parent to a birth report. In addition, the rule specifies when a form is insufficient or when the proposed parent will not be added to the birth record. The rule also identifies obligations for individuals reporting births where a witnessed voluntary acknowledgment of parentage will be submitted.

Adopt OAR 333-011-0267

Notarized Voluntary Acknowledgment of Parentage: Establishes the Notarized Voluntary Acknowledgment of Parentage form as required by ORS 432.098(1)(a). The rule also establishes the requirements for completing and submitting the form to add a parent to a birth record. In addition, the rule specifies when a form is insufficient or when the proposed parent will not be added to the birth record. The rule also identifies obligations for individuals reporting births where a notarized voluntary acknowledgment of parentage will be submitted. The rule also establishes when a fee to add a parent using a notarized voluntary acknowledgment of parentage is required.

Adopt OAR 333-011-0268

Denial of Parentage: Establishes the Denial of Parentage form as required by ORS 432.098(1)(a). Establishes the process and requirements for a presumed parent or alleged genetic parent to voluntarily deny parentage. This rule describes when and how the Center for Health Statistics will include or remove parents from a birth record pursuant to a denial of parentage and when an amendment fee is required to amend a birth record.

Adopt OAR 333-011-0269

Rescission of Acknowledgment or Denial of Parentage: Establishes the form and process used by individuals who wish to rescind or "take back" their agreement to an Acknowledgment or Denial of Parentage. This rule describes when and how the Center for Health Statistics will include or remove parents from a birth record pursuant to a rescission and when an amendment fee is required to amend a birth record. The rules outline the process for informing parties as required under ORS 432.098(3).

Repeal OAR 333-011-0270

Voluntary Acknowledgment of Paternity: Previously the rule for both the witnessed Acknowledgment of Parentage form and the Acknowledgment of Parentage affidavit. Those are being adopted as OAR 333-011-0266 and OAR 333-011-0267, respectively.

Amend OAR 333-011-0275

Establishing Replacement Records and New Records of Live Birth: Describes requirements and processes used by the Center for Health Statistics to create a new birth record after an adoption, legitimation, determination of parentage/paternity, acknowledgment of parentage, or change of sex. Also describes the confidentiality for records submitted to establish a replacement birth record. Describes process and requirements for the Center for Health Statistics to establish a new record of live birth after a court-ordered name change for a parent or the registrant. Identifies what information is included on replacement records and new records. Identifies applicable amendment fees.

Adopt OAR 333-011-0276

Registration of Births under a Gestational Surrogacy Agreement: Establishes the administrative process and requirements for including parents in a gestational surrogacy agreement on their child's birth record and excluding the gestational surrogate from the record. This rule describes when and how the Center for Health Statistics will include or remove parents and gestational surrogates from a birth record pursuant to a gestational surrogacy agreement and when an amendment fee is required to amend a birth record. The rule also identifies obligations for individuals reporting births under a gestational surrogacy agreement.

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing the negative economic impact of the rule on business.

Last Day for Public Comment (Last day to submit written comments to the Rules Coordinator)

Signature

Printed name

Date

*Hearing Notices published in the Oregon Bulletin must be submitted by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a weekend or legal holiday, upon which the deadline is 5:00 pm the preceding workday. ARC 920-2005