

August 2017 – Webinar for Birth Information Specialists, Midwives and Managers
Topic: Acknowledgement of Paternity Overview – Q & A

Link to recording: <https://chsdhsoha.adobeconnect.com/poqdgq03osaz/> (20 minutes)

1. **Question:** What kind of minor alterations are allowed on the Acknowledgement of Paternity form?

Answer: Names should not be changed or crossed out and replaced with an entirely new name. Any cross outs/alterations need to be initialed by the parent completing the form. We recommend that if substantial changes are needing to be made to a form then a new form be used. Birth Information Specialists and Midwives should not be completing the form and cannot make any alterations. Remember, these are legal forms, and the parents need to either have READ or HEARD the Rights and Responsibilities. We provide the forms without charge so if errors are made, a new form can be provided to the parents.

2. **Question:** How do we get the mother of the baby to add the father?

Answer: The facility is responsible for making acknowledgement of paternity forms available to unmarried mothers. Your facility is not responsible for listing two parents on every birth record.

- If the mother is married, then she is not required to list the father of the baby on the birth certificate. However, if the mother IS married, then she can ONLY list the husband on the birth certificate.
- If the mother is NOT married, you cannot require her to complete the Acknowledgement of Paternity (AOP) form. However, as an agent of your facility, it is required that you supply the AOP form (either the 45-31 or 45-21) to the mother. If it is within 5 days of the child's date of birth and the mother is still a patient in the facility, the Voluntary Acknowledgement of Paternity 45-31 can be completed by both parents and witnessed by hospital facility staff. If the mother leaves the facility, the parents would complete the Voluntary Acknowledgement of Paternity Affidavit 45-21, which must be signed in the presence of a notary.

When the mother chooses not to add the father or she does not know who the father is, provide the mother with the 45-21 form and the "You Owe it to Your Child" brochure (you can order them [here](#)). Remember, the Division of Child Support office can help the mother by:

- Assisting in the completion of the form
- providing a notary at no charge and
- paying the applicable amendment fees to get the father added to the birth record.

Establishing paternity is important to the child for many reasons. You can access frequently asked questions about establishing paternity on our website [here](#).

3. **Question:** When will the new order forms be available for ordering Acknowledgement of Paternity forms?

Answer: You can find our current order form on our [website](#). Use this form to order both the Voluntary Acknowledgement of Paternity 45-31 and Voluntary Acknowledgement of Paternity

Affidavit 45-21. The order forms that are changing are the forms to order certified copies of vital records and any form that includes the fee for certified copies. We will be distributing updated order forms that include the new fee information in November. The change in fees go into effect January 1, 2018; there will no longer be reduced fees for additional copies of records ordered at the same time.

4. **Question:** Which AOP form do you use for home births?

Answer: If the birth occurred in a home (outside of a facility), you would use the Voluntary Acknowledgement of Paternity Affidavit 45-21 form. This form must be notarized.

5. **Question:** Do the pamphlets ('You Owe it to Your Child') cost the hospitals any money to order?

Answer: No, our office supplies these brochures free of charge. You can download and print our order form [here](#). Fax the form to our office at 971-673-1201.

6. **Question:** Does the brochure include information on assistance by the Division of Child Support or should we provide the mother with separate contact information for the Division of Child Support?

Answer: Yes, the brochures have information about the Division of Child Support, including their main website and phone number. However, you are welcome to also include their local branch's business card as well if you have them available.

7. **Question:** We have a hard time meeting the expected 80% percentage for Acknowledgment of Paternity forms at our hospital, but we do offer the form to everyone. How can we improve?

Answer: What is important is that you are trying and actively working with the parents to educate them on the importance of completing the form. When the mother is leaving the facility without signing the Acknowledgment of Paternity form, be sure to provide her with the Voluntary Acknowledgement of Paternity Affidavit form 45-21, along with the 'You Owe it to Your Child' brochure. Let the parents know that the Division of Child Support can provide a notary at no charge as well as pay the applicable amendment fees to get the father added to the birth record.

8. **Question:** Can I complete the Acknowledgment of Paternity form for the parents and just have them sign it?

Answer: We recommend that the parents complete the form. This will eliminate any question of who made an error on the form down the line. Remember, the information cannot be pre-filled, and the signatures and dates must be handwritten.

9. **Question:** Are there still DVDs available for the Rights and Responsibilities? Our facility doesn't have access to watch the videos posted online.

Answer: No, we do not have current DVDs available. Your responsibility as the birth information specialist or midwife is to ensure that the parents have *heard* the Rights and Responsibilities. The options are to play the online video, read the Rights and Responsibilities out loud to each other, or have a staff member at the facility read the Rights and Responsibilities.

10. **Question:** Do we have to witness the parents hearing the Rights and Responsibilities?

Answer: You do not need to witness the parents hearing the Rights and Responsibilities, but you *do* need to witness them signing the form, which includes a statement that they have heard their rights. You also need to make sure that the date signed matches the date witnessed (and both must be handwritten).

11. **Question:** Are the Rights and Responsibilities included in the pamphlet?

Answer: No the Rights and Responsibilities are not included inside the 'You Owe it To Your Child' pamphlet. The 'You Owe it To Your Child' pamphlet is a great resource for parents that discusses the importance of establishing paternity for the child. The Rights and Responsibilities are on the back of the legal form and inform parents of the rights under law.

12. **Question:** Are we required to provide the 'You Owe it to Your Child' pamphlet?

Answer: No, you are not required to provide the 'You Owe it to Your Child' pamphlet to parents. However, the pamphlet is a great resource for parents about the importance of establishing paternity for their child. You *are* required to supply the AOP form (either the 45-31 or 45-21) to an unmarried mother. Remember, if it's within 5 days of the child's date of birth and the mother is still a patient in the facility, the Voluntary Acknowledgement of Paternity 45-31 can be completed by both parents and witnessed by hospital facility staff. If the mother leaves the facility, the parents should complete the Voluntary Acknowledgement of Paternity Affidavit 45-21 and it must be signed in the presence of a notary.