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TO: County Registrars & Deputy Registrars

FROM: Jennifer A. Woodward, Ph.D.
State Registrar
Center for Health Statistics

RE: Instructional Memo (2016-06)
Vital Records Triennial County Review

Oregon has a statewide vital statistics system. This means the state registrar is responsible for the system, including forms and procedures. The state registrar works cooperatively with county vital records offices to provide secure, consistent service across the state. To support this goal, Oregon law requires county registrars and deputy registrars to comply with all instructions of the state registrar. ([ORS 432.035](#))

While the great majority of vital records requirements are found in statute (*Chapter 432 – Vital Statistics*) and administrative rule (*Chapter 333, Division 11*), procedures are also needed (*supported by law or rule*). These procedures are shared through Instructional Memos (IM) such as this one.

The purpose of the current Instructional Memo is to provide specific written instructions on procedures necessary for a vital records system that maintains the confidentiality and security of records consistently throughout Oregon.

Please refer to the following items in the Vital Records Triennial Review Tool:

- 1. State registrar approval must be granted in writing before a county registrar or deputy registrar may start work and assume the duties of the position.**
[ORS 432.035](#) and [ORS 432.033\(2\)](#)

Notifications of appointments are provided to the state registrar in writing and in advance of the county or deputy registrar starting work and assuming the duties of the position. The state registrar must approve the appointments in advance.

- 2. County administrator notifies state registrar in writing in advance if a county registrar will leave duties. Records issued during a time where the county has no registrar are invalid. [ORS 432.035](#) and [OAR 333-011-0205\(1\)](#)**

Under authorization of the state registrar, notifications must be in writing.

- 3. County notifies state registrar within two days if deputy registrar leaves duties. [ORS 432.033\(2\)](#)**

Notification to the state registrar is required within two (2) days of the deputy registrar leaving duties.

- 5. Confirming a death for a government agency is verification and is allowed. At least, a faxed letter of the request should be submitted. All government agency verifications are to be tracked per agency. A fee of \$10 shall be paid for each manual verification of a vital event for each government agency or subdivision of a government agency requesting over 5 verifications per month. Infrequent requests for verification of death or birth from a local police agency, given that the volume is low and the source certain, may be honored by confirming the facts of the birth or death. Sharing information as a public record from abstract is no longer allowed. [ORS 432.030](#) and [ORS 432.380\(12\)](#); [OAR 333-011-0340\(18\)](#)**

As prescribed or approved by the state registrar, at least, a faxed letter of the request shall be submitted, which will provide verification of the request.

- 9. All county registrars and deputy registrars maintain current knowledge of vital records law, rules and procedures, including active use of newsletters, memorandum, policies and instructions to remain current. These items must be accessible to the county registrar and all deputy registrars. [ORS 432.035\(2\)](#)**

The county registrar and deputy registrars are included in all general communications with funeral homes, hospital birth clerks, or others who routinely interact with vital records staff. If county staff determine additional information or training is needed to comply with law, rules or procedures, the person should notify the county registrar. If the information is not available at the county, the county registrar or the deputy registrar shall contact the state vital records office for additional information or training.

- 10. Staff shall review reports of death to ensure the report is complete and acceptable for registration according to the requirements set forth by the state registrar. Review shall include active use of the Sight Verification Tool for death reports. [ORS 432.035](#)**

County staff shall review records to comply with the laminated Sight Verification Tool provided by the state vital records office. This review ensures that certified copies issued represent legally sufficient records and support efficient registration at the state office.

- 11. Staff shall date reports of death the day they are received in the office. Registrar shall sign report of death when registered.**

[ORS 432.010\(4\)](#); [OAR 333-011-0205\(3\)](#)

“Drop-to-paper” or “fully paper” death certificates can be registered at the county after review and may be assigned a local file number. Certified copies may be issued from the paper record, but the order must be entered into OVERS. The report of death must be sent to the state within three days for entry into OVERS.

- 13. Staff shall only accept reports filed on a form or format prescribed by the state registrar. [ORS 432.010\(3\)](#) and [ORS 432.035\(2a\)](#)**

Each report, record and other document required by this chapter shall be on a form or in a format prescribed by the State Registrar of the Center for Health Statistics.

- 14. Staff shall forward all paper Reports of Live Birth to the state for registration.**

The county vital records office might receive a paper Report of Live Birth. These records would be received very infrequently. Any Report of Live Birth received should be forwarded to the state vital records office immediately.

- 15. Only the following persons may request an amendment to a birth certificate: the reporting source, parents, legal guardians, or birth persons if 18 years or older. Counties may provide a one-page handout of amendment fees and state contact information upon request or staff may refer all requests to the State.**

[OAR 333-011-0265](#)

Other individuals, including the parents and the registrant, shall submit an application for amendment under section (1) of this rule. If the evidence is not sufficient, the applicant must present a certified copy of a court order ordering such amendment.

- 18. If parents are signing a Voluntary Acknowledgement of Paternity [Form 45-21] in the county office, staff shall confirm that each parent has heard the rights and responsibilities statement for the parents before they sign.**

[ORS 432.098\(2\)\(e\)](#)

Parents have a two-week window of opportunity to file the form without paying a fee. Counties should accept paternity forms and forward to the state vital records office without payment. For forms filed within the two-week window, the county should date stamp with date of receipt, and forward them to the state for processing. Date stamping of all paternity forms received is considered a best practice.

- 19. Veterans’ use only certified copies are issued without a fee and sent or delivered directly to a veterans’ services office for support of a pending application for benefits. The application for burial benefits should be included if received with the order. [ORS 432.435\(2\)\(a\)](#) and [432.035\(2\)\(a\)](#)**

The State Registrar of the Center for Health Statistics shall search the system of vital statistics and issue certified copies or other documents, as appropriate, without

charge if the search or issuance is: requested in connection with a pending application for benefits from the United States Department of Veterans Affairs, if proof of the application is first submitted.

20. Do not FAX veteran’s certificates. [ORS 432.435](#)

The State Registrar of the Center for Health Statistics shall issue certified copies or other documents, as appropriate, without charge if the search or issuance is a request in connection with a pending application of benefits from the United States department of Veterans Affairs, if proof of the application is first submitted. Such copies shall not be FAXED. (*NOTE: County mental health officials may receive a “white copy” of the report of death.*)

25. Staff shall review each death to confirm that the county has received the 24-hour Notice of Receipt of Body form (*the first notice of death*), the final disposition permit and have either received a report of death or identified a registered record in OVERS. [ORS 432.035\(2\)](#)

“Check upon the compliance of others with the provisions of this chapter and with rules adopted under this chapter;” This item provides a means by which counties can cross-reference death reports, 24 hour notices, and disposition permits.

27. The county shall contact the funeral home, when cause of death is left blank on the report of death. The report of death is incomplete when cause of death is left blank and shall be rejected. [ORS 432.035\(2\)\(a\)](#)

Comply with all instructions of the state registrar.

28. The county shall contact the funeral home when the manner of death is “accident” or other than “natural” if the medical examiner has not been notified or the county may send the report to the State for follow-up. The report of death shall not be registered until this is resolved. (*Note: The medical examiner may decline to take the case if the cause is accidental, but the medical certifier must notify the medical examiner and indicate that on the report of death.*)
[ORS 432.035\(2\)\(a\)](#)

Comply with all instructions of the state registrar.

31. County staff shall contact the State vital records office for specific directions if the funeral home, informant, or next of kin requests an amendment to marital status or name of spouse (*items 18 and 19*) even if the report of death is available at the county vital records office. Specific rules apply to changes in marital status and spouse’s name and state review is required. [ORS 432.235](#); [ORS 432.035\(2\)](#) and [OAR 333-011-0300](#)

Legal rights change with these amendments, the state vital records office is best positioned to coordinate these amendments. OAR 333-011-0300: For sections (2) through (5) of this rule, in addition to documentation required, the informant listed on the death record shall be notified of the requested change and given the opportunity

to respond prior to the state registrar amending the death record. If the informant disagrees with the change, marital status and surviving spouse can only be changed upon a receipt of an order from a court of competent jurisdiction.

32. County staff may accept and process an affidavit to correct the “Place of Death” (items 29-34) from either the funeral home or the medical certifier while the original report of death is in their possession.

Place of Death may be corrected by an affidavit from the funeral director if the conditions required for amending a report of death are present. If the proposed amendment changes the county where death occurred, the report of death will need to be received in the correct county before the amendment can be processed.

35. County staff may maintain a copy of the county registered report of death for a period up to fourteen calendar days from the date the report is forwarded to the State, and may issue from that copy within that time period until the record is registered in the State vital records system. [OAR 333-011-205\(3\)](#)

After the record is registered in OVERS, the county should issue certificates from EDRS exclusively to ensure that the most current record is issued. When the order is entered in OVERS, the county will know the record is registered if a state file number appears with the record. In that case, the white copy cannot be used to create certified copies.

36. County staff shall secure original certificates and security paper supplies at night in a locked container. [ORS 432.035](#)

This can be a locked filing cabinet or a locked office.

37. County staff shall assist in keeping an electronic inventory of security paper by entering ALL applications to order certified copies into the Oregon Vital Events Registration System (OVERS). [ORS 432.380\(5\)](#) and [ORS 432.380\(14\)](#)

This tracks to whom the certified copy was issued and who at the vital records office handled the paper.

38. County staff shall produce certified copies only on security paper. [ORS 432.030](#); [ORS 432.035\(2\)\(a\)](#) and [ORS 432.380\(13\)](#)

The integrity of certified copies is increased by using security paper that has security and tamper-resistant features. The state vital records office considers security paper to be a form to which vital records information is attached.

39. County staff shall enter ALL orders into OVERS. This will create a tracking system that is maintained for a minimum of two years that shows how many copies of certificates were issued, and to whom they were issued. [ORS 432.380 \(14\)](#) and [ORS 432.035\(2\)](#)

All orders must be entered into OVERS. This will track order information, intaglio paper usage, and provide an issuance history for records.

- 40. The county shall require customers to complete an order form when ordering certified copies. The order form must contain the customer's name, address, driver's license number (*or other type of photo identification*), name of baby or decedent, date and place of birth or death, name of spouse (if applicable), reason for request and relationship. [OAR 333-011-330\(2\)](#) and [ORS 432.380\(2\)](#)**

This information is needed to confirm that the person ordering the record is legally entitled to get the record. County forms must be reviewed and approved by the state registrar.

- 44. County staff issue certified copies within one working day following receipt of a complete application whenever possible.**

Vital records are necessary documents for many legal activities related to births and deaths. Surviving family members cannot submit claims for insurance, pension benefit transfers, or obtain access to bank accounts without a certified copy of the death record. Prompt service to eligible recipients maintains strong customer service and public goodwill.

- 46. Copies of records, permits and other sensitive materials are shredded after use. [ORS 432.033](#); [432.035\(2\)\(a\)](#) and [432.380\(16\)](#)**

To maintain confidentiality of all records related to vital events, disposal of those records shall be by shredding, preferably on-site.

- 47. The County may provide printed materials to hospitals and parents with instructions on how to obtain certified copies of birth records.**

It is important for county vital records offices to provide information on the services offered by local and state vital records.

- 52. County staff support the integrity of vital records and vital reports and the proper and efficient administration of the system of vital statistics. [ORS 432.035\(2\)\(a\)](#)**

Comply with all instructions of the state registrar.

Please share this memo with your Vital Records staff and keep it with other compliance documents.