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TEMPORARY ADMINISTRATIVE ORDER
INCLUDING STATEMENT OF NEED & JUSTIFICATION

PH 63-2020
CHAPTER 333
OREGON HEALTH AUTHORITY
PUBLIC HEALTH DIVISION

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ARCHIVES DIVISION
SECRETARY OF STATE
& LEGISLATIVE COUNSEL

FILING CAPTION: Vital Records Fees for Oregonians Affected by the Wildfires under Executive Order No. 20-35

EFFECTIVE DATE: 09/14/2020 THROUGH 03/01/2021

AGENCY APPROVED DATE: 09/14/2020

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NEED FOR THE RULE(S):

The Oregon Health Authority is responding to the Governor's Executive Order 20-35 related to wildfire response. Many Oregon families may have lost all vital documents due to the wildfires. Family members may also have died in the wildfires. This temporary rule provides up to three certified copies of Oregon vital records free of charge if requested in connection with Executive Order 20-35. This rule will remain in effect until March 1, 2021.

JUSTIFICATION OF TEMPORARY FILING:

- (1) The Authority finds that failure to act promptly will result in serious prejudice to the public interest, the Authority, and Oregonians who have lost property or loved ones due to the wildfires. These rules need to be adopted promptly so that Oregonians can get vital records needed for purposes such as establishing identity, obtaining benefits, or settling the affairs of their family members who have died in the wildfires.
- (2) Oregonians who have been impacted by the wildfires will need vital records immediately and may not have the resources to purchase those records.
- (3) Oregonians who need the records will have to pay \$25 per certified copy as outlined in OAR 333-011-0340. These fees cannot be waived without a temporary rule adoption.
- (4) Adopting this temporary rule will provide vital records to Oregonians impacted by the wildfires free of charge.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

Executive Order 20-35 - https://www.oregon.gov/gov/Documents/executive_orders/eo_20-35.pdf

ADOPT: 333-011-0900

RULE TITLE: Fees for Vital Records for Oregonians Affected by the Wildfires under the Governor's Executive Order No. 20-35

RULE SUMMARY: OAR 333-011-0900 is a new temporary rule that waives the fees for searches, up to three certified copies of vital records, and for "no record" letters if requested by individuals affected by wildfires under Executive Order No. 20-35. Fees outlined in OAR 333-011-0340 (4) through (20) continue to apply.

RULE TEXT:

This rule is intended to provide relief from the requirement to pay certain fees for copies of some vital records for Oregonians who have had loss of property or life associated with the wildfires burning in Oregon, as described in the Governor's Executive Order No. 20-35

(1) An individual who has been adversely affected by the wildfires in Oregon as described in Executive Order No. 20-35, may request up to three certified copies of a birth, death, marriage, divorce, domestic partnership, or dissolution of domestic partnership record, if the requested is in connection with Executive Order 25-35, and the fee for the search and the first three copies will be waived.

(2) If, in doing a search in a response for a record under section (1) of this rule, no matching record is found, the State Registrar will issue a statement to this effect in lieu of a record and the fee for the statement will be waived.

(3) All other fees in OAR 333-011-0240 (4) through (20) continue to apply.

(4) This rule is effective until March 1, 2021.

STATUTORY/OTHER AUTHORITY: ORS 432.015, ORS 432.435, Executive Order 20-35

STATUTES/OTHER IMPLEMENTED: ORS 432.435