

HB0341S01 compared with HB0341

~~{deleted text}~~ shows text that was in HB0341 but was deleted in HB0341S01.

inserted text shows text that was not in HB0341 but was inserted into HB0341S01.

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Representative Candice B. Pierucci proposes the following substitute bill:

BIRTH CERTIFICATE AMENDMENTS

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Candice B. Pierucci

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies provisions related to birth certificates.

Highlighted Provisions:

This bill:

- ▶ allows the ~~{department}~~Department of Health to request additional information for registering a birth under certain circumstances;
- ▶ requires the department to ~~{issue a complimentary}~~create a process for an individual to remove information associated with registering a birth;
- ▶ requires the department to delete or destroy information related to registering a birth under certain circumstances;
- ▶ requires the office to create a report regarding the elimination or reducing of birth certificate fees;

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- ▶ creates a repeal date for ~~(each birth registered in Utah)~~ the report; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

26-2-4, as last amended by Laws of Utah 2007, Chapter 32

26-2-12.6, as last amended by Laws of Utah 2021, Chapter 284

631-2-226, as last amended by Laws of Utah 2021, Chapters 277, 422, and 433

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **26-2-4** is amended to read:

26-2-4. Content and form of certificates and reports.

(1) Except as provided in Subsection (5), to promote and maintain nationwide uniformity in the vital records system, the forms of certificates, certification, reports, and other documents and records required by this chapter or the rules implementing this chapter shall include as a minimum the items recommended by the federal agency responsible for national vital statistics, subject to approval, additions, and modifications by the department.

(2) Certificates, certifications, forms, reports, other documents and records, and the form of communications between persons required by this chapter shall be prepared in the format prescribed by department rule.

(3) All vital records shall include the date of filing.

(4) Certificates, certifications, forms, reports, other documents and records, and communications between persons required by this chapter may be signed, filed, verified, registered, and stored by photographic, electronic, or other means as prescribed by department rule.

(5) (a) The state:

~~[(a)]~~ (i) may collect the Social Security number of a deceased individual; and

~~[(b)]~~ (ii) may not include the Social Security number of an individual on a certificate of

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death.

(b) For registering a birth, the department may not require an individual to provide information that is not necessary for the department to comply with federal standards or contracts, or state law.

(c) The department may request additional information beyond the information necessary to comply with federal standards, ~~and~~, contracts, or state law for registering a birth, if the department:

(i) discloses that providing the additional information is voluntary;

(ii) discloses how the information will be used and the duration of use; ~~and~~

(iii) describes how the department ~~will prevent~~ prevents the ~~additional~~ information from being used in a manner different from the ~~description~~ disclosure given under Subsection ~~(5)(c)(ii)~~; and

(iv) obtains the individual's written consent to obtain and store the information.

(d) By July 1, 2022, the department shall create a process for an individual to remove additional information described in Subsection (5)(c) from the department's databases, including additional information previously collected.

(e) The department shall delete or destroy additional information described in Subsection (5)(c) from the department's databases before the data is held by the department for longer than six years.

Section 2. Section 26-2-12.6 is amended to read:

26-2-12.6. Fee waived for certified copy of birth certificate -- Complimentary birth certificate.

(1) Notwithstanding Section 26-1-6 and Section 26-2-12.5, the department shall waive a fee that would otherwise be charged for a certified copy of a birth certificate, if the individual whose birth is confirmed by the birth certificate is:

(a) the individual requesting the certified copy of the birth certificate; and

(b) (i) homeless, as defined in Section 26-18-411;

(ii) a person who is homeless, as defined in Section 35A-5-302;

(iii) an individual whose primary nighttime residence is a location that is not designed for or ordinarily used as a sleeping accommodation for an individual;

(iv) a homeless service provider as verified by the Department of Workforce Services;

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or

(v) a homeless child or youth, as defined in 42 U.S.C. Sec. 11434a.

(2) To satisfy the requirement in Subsection (1)(b), the department shall accept written verification that the individual is homeless or a person, child, or youth who is homeless from:

(a) a homeless shelter~~[, as defined in Section 10-9a-526]~~;

(b) a permanent housing, permanent, supportive, or transitional facility, as defined in Section 35A-5-302;

(c) the Department of Workforce Services;

(d) a homeless service provider as verified by the Department of Workforce Services;

or

(e) a local educational agency liaison for homeless children and youth designated under 42 U.S.C. Sec. 11432(g)(1)(J)(ii).

~~(3) For each birth registered in Utah, the department shall automatically send one certified copy of the child's~~Before October 1, 2022, the office shall submit a report to the Health and Human Services Interim Committee providing several options on how the office can eliminate or significantly reduce birth certificate ~~to the child's parent or guardian without charging a fee.~~fees.

Section 3. Section 63I-2-226 is amended to read:

63I-2-226. Repeal dates, Title 26.

(1) Subsection 26-1-7(1)(c), in relation to the Air Ambulance Committee, is repealed July 1, 2024.

(2) Subsection 26-2-12.6(3), relating to the report for birth certificate fees, is repealed December 31, 2022.

[(2)] (3) Section 26-4-6.1 is repealed January 1, 2022.

[(3)] (4) Section 26-6-41, in relation to termination of public health emergency powers pertaining to COVID-19, is repealed on July 1, 2021.

[(4)] (5) Subsection 26-7-8(3) is repealed January 1, 2027.

[(5)] (6) Section 26-8a-107 is repealed July 1, 2024.

[(6)] (7) Subsection 26-8a-203(3)(a)(i) is repealed January 1, 2023.

[(7)] (8) Section 26-8a-211 is repealed July 1, 2023.

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~~[(8)]~~ (9) In relation to the Air Ambulance Committee, on July 1, 2024, Subsection 26-8a-602(1)(a) is amended to read:

"(a) provide the patient or the patient's representative with the following information before contacting an air medical transport provider:

(i) which health insurers in the state the air medical transport provider contracts with;

(ii) if sufficient data is available, the average charge for air medical transport services for a patient who is uninsured or out of network; and

(iii) whether the air medical transport provider balance bills a patient for any charge not paid by the patient's health insurer; and".

~~[(9)]~~ (10) Subsection 26-18-2.4(3)(e) is repealed January 1, 2023.

~~[(10)]~~ (11) Subsection 26-18-411(8), related to reporting on the health coverage improvement program, is repealed January 1, 2023.

~~[(11)]~~ (12) Subsection 26-18-420(5), related to reporting on coverage for in vitro fertilization and genetic testing, is repealed July 1, 2030.

~~[(12)]~~ (13) In relation to the Air Ambulance Committee, July 1, 2024, Subsection 26-21-32(1)(a) is amended to read:

"(a) provide the patient or the patient's representative with the following information before contacting an air medical transport provider:

(i) which health insurers in the state the air medical transport provider contracts with;

(ii) if sufficient data is available, the average charge for air medical transport services for a patient who is uninsured or out of network; and

(iii) whether the air medical transport provider balance bills a patient for any charge not paid by the patient's health insurer; and".

~~[(13)]~~ (14) Subsection 26-33a-106.1(2)(a) is repealed January 1, 2023.

~~[(14)]~~ (15) Title 26, Chapter 46, Utah Health Care Workforce Financial Assistance Program, is repealed July 1, 2027.

~~[(15)]~~ (16) Subsection 26-61-202(4)(b) is repealed January 1, 2022.

~~[(16)]~~ (17) Subsection 26-61-202(5) is repealed January 1, 2022.

~~[(17)]~~ (18) Section 26A-1-130, in relation to termination of public health emergency powers pertaining to COVID-19, is repealed on July 1, 2021.

~~[(18)]~~ (19) Section 26B-1-201.1 is repealed July 1, 2022.

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