

## HB0341S02 compared with HB0341S01

~~text~~ shows text that was in HB0341S01 but was deleted in HB0341S02.

text shows text that was not in HB0341S01 but was inserted into HB0341S02.

**DISCLAIMER:** This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

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:

- ▶ defines terms;
- ▶ allows the Department of Health to request additional information for registering a birth under certain circumstances;
- ▶ requires the department to ~~create a process for~~ accept written requests from an individual to ~~remove~~ de-identify information associated with registering a birth;
- ▶ requires the department to ~~delete or destroy~~ de-identify information related to registering a birth under certain circumstances;
- ▶ requires the office to create a report regarding the elimination or reducing of birth

## HB0341S02 compared with HB0341S01

certificate fees;

- ▶ creates a repeal date for 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

**63I-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) As used in this section, "additional information" means information that is beyond the information necessary to comply with federal standards, federal contracts, or state law for registering a birth.

~~(1)~~ (2) Except as provided in Subsection ~~(5)~~ (6), 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)~~ (3) 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)~~ (4) All vital records shall include the date of filing.

~~(4)~~ (5) Certificates, certifications, forms, reports, other documents and records, and communications between persons required by this chapter may be signed, filed, verified,

## HB0341S02 compared with HB0341S01

registered, and stored by photographic, electronic, or other means as prescribed by department rule.

~~[(5)]~~ (6) (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 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~~ additional information.

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

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

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

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

(iv) ~~obtains~~ includes a notice that the ~~individual's written consent to obtain and store the information~~.

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

(d) (i) Beginning July 1, 2022, an individual may submit a written request to de-identify the individual's additional information.

(ii) Upon receiving the written request, the department shall de-identify the additional information.

(e) The department shall ~~delete or destroy~~ de-identify additional information ~~described~~ contained in ~~Subsection (5)(c) from~~ the department's databases before the ~~data~~ additional information 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**

## HB0341S02 compared with HB0341S01

### 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;

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) 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 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.

## HB0341S02 compared with HB0341S01

~~[(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.

~~[(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.

## **HB0341S02 compared with HB0341S01**

~~[(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.