

COUNCIL OF THE DISTRICT OF COLUMBIA

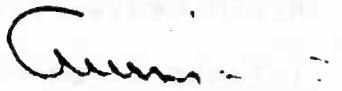
NOTICE

D.C. LAW 4-34

"Vital Records Act of 1981".

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P. L. 93-198, "the Act", the Council of the District of Columbia adopted Bill No. 4-161 on first and second readings, June 16, 1981 and June 30, 1981, respectively. Following the signature of the Mayor on July 20, 1981, this legislation was assigned Act No. 4-58, published in the July 24, 1981 edition of the D.C. Register, (Vol. 28 page 3271) and transmitted to Congress on July 23, 1981 for a 30-day review, in accordance with Section 602 (c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 4-34, effective October 8, 1981.


ARRINGTON DIXON
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

July	23,24,27,28,29,30,31
August	3,4
September	9,10,11,14,15,16,17,18,21,22,23,24,25,28,29,30
October	1,2,5,6,7

D.C. LAW 4-34

AN ACT

D.C. ACT 4-58

EFFECTIVE
DATE OCT 08 1981

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JUL 20 1981

To regulate the reporting, maintenance, issuance,
and confidentiality of certain vital records.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,

That this act may be cited as the "Vital Records
Act of 1981".

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CODIFICATION
D.C. Code,
title 6,
new chapter 3
(1973 ed.)

- Section 10. Adoption Forms
- Section 11. New Certificates of Birth Following Adoption, Parentage Determination, and Parentage Acknowledgment
- Section 12. Death Registration
- Section 13. Delayed Filing and Registration of Death
- Section 14. Reports of Fetal Death
- Section 15. Authorization for Final Disposition
- Section 16. Marriage Registration
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- Section 18. Amendment of Vital Records
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- Section 20. Disclosure of Information from Vital Records
- Section 21. Copies or Data from the System of Vital Records
- Section 22. Fees for Copies and Searches
- Section 23. Persons Required to Keep Records
(Persons in Charge of Institutions;
Funeral Directors; Embalmers;
Sextons; and Other Persons)
- Section 24. Persons Required to Furnish Information

- Section 25. Matching of Birth and Death
Certificates
- Section 26. Penalties
- Section 27. Authority to Issue Regulations
- Section 28. Severability Clause
- Section 29. Amendments
- Section 30. Repealer Provisions
- Section 31. Effective Date

Sec. 2. Definitions

Unless otherwise specified as used in this
act, the term:

D.C. Code,
sec. 6-301
(1973 ed.)

- (1) "Court" means the Superior Court of the District of Columbia established by D.C. Code, sec. 11-901.
- (2) "Day" means calendar day.
- (3) "Dead body" means a human body or such parts of such human body from the condition of which it may be reasonably concluded that death recently occurred.
- (4) "District" means within the geographical boundaries of the District of Columbia.
- (5) "Fetal death" means death prior to the complete expulsion or extraction from its mother of a product of a human

conception, irrespective of the duration of pregnancy. The death is indicated by the fact that after such expulsion or extraction the fetus does not breathe or show any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles. The term "fetal death" does not include an induced termination of pregnancy.

- (6) "File" means the presentation of a vital record for registration.
- (7) "Final disposition" means the burial, interment, cremation, removal from the District, or other authorized disposition of a dead body or fetus.
- (8) "Institution" means any establishment, public or private, which provides in-patient medical, surgical, or diagnostic care or treatment, or nursing, custodial, or domiciliary care, or to which persons are committed by law.
- (9) "Live birth" means the complete expulsion or extraction from its mother of a

product of human conception, irrespective of the duration of pregnancy, which, after such expulsion or extraction, breathes, or shows any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles, whether or not the umbilical cord has been cut or the placenta is attached.

- (10) "Person" means an individual, a trust, an estate, a partnership, a corporation (including associations, joint stock companies, and insurance companies), the District government, or an agency or instrumentality of the District government.
- (11) "Physician" means an individual authorized to practice medicine or osteopathy in the District.
- (12) "Registrar" means the person appointed by the Director of the Department of Human Services to administer the system of vital records for the District government under this act.

- (13) "Registration" or "Register" means the acceptance of vital records by the Registrar and the incorporation of vital records provided for in this act into his or her official records.
- (14) "System of vital records" means the registration, collection, preservation, amendment, and certification of vital records, the collection of other reports required by this act, and activities related thereto.
- (15) "Vital records" means certificates or reports of birth, death, marriage, divorce, annulment, and data related thereto which is permitted to be gathered under this act.
- (16) "Vital statistics" means the data derived from certificates and reports of birth, death, fetal death, marriage, divorce, annulment, and related reports.

Sec. 3. Vital Records System

The Mayor shall establish a Vital Records system consistent with this act for the reporting,

D.C. Code,
sec. 6-302
(1973 ed.)

maintenance, issuance, and confidentiality of vital records.

Sec. 4. Appointment and Duties of Registrar

The Director of the Department of Human Services shall appoint the Registrar who shall:

D.C.Code,
sec. 6-303
(1973 ed.)

- (a) Be in charge of administering the vital records system and be the custodian of its records; and
- (b) Develop and distribute forms or other means for transmitting data to carry out the reporting and registration purposes of this act.

Sec. 5. General Requirements

(a) Each certificate, record, report, and other document required by this act shall be on a form or in a format prescribed by the Registrar.

D.C.Code,
sec. 6-304
(1973 ed.)

(b) Each vital record shall contain the date of registration.

(c) Information required in a certificate or report may be filed and registered by photographic, electronic, or other means as prescribed by the Registrar.

(d) Each form may include each item recommended by the federal agency responsible for national vital statistics.

Sec. 6. Birth Registration

(a) A certificate of birth for each live birth which occurs in the District shall be filed as directed by the Registrar, within five (5) days after such birth, and shall be registered if it has been completed and filed in accordance with this act.

D.C. Code,
sec. 6-305
(1973 ed.)

(b) When a birth occurs in or enroute to an institution the person in charge of the institution or his or her designee shall collect the personal data, prepare the certificate, secure the signatures required, and file the certificate. The physician or other person in attendance at or immediately after the birth shall provide the medical information required in the certificate and certify to the facts of birth within seventy-two (72) hours after the birth. If the physician, or other person in attendance at or immediately after the birth, does not certify to the facts of birth within the seventy-two (72)-hour period, the person in charge of the institution or his or her designee shall certify to the facts of birth and complete the certificate.

(c) When a birth occurs outside an institution, the certificate shall be prepared and filed by one (1) of the following persons in the indicated order of priority:

(1) The physician in attendance at the time of birth or in attendance immediately after the birth;

(2) Any other person in attendance at the time of birth or in attendance immediately after the birth; or

(3) The father, the mother, or in the absence of the father and the inability of the mother, the person in charge of the premises where the birth occurred.

(d) When a birth occurs on a moving conveyance within the United States and the child is first removed from the conveyance in the District, the birth shall be registered in the District, and the place where it is first removed shall be considered the place of birth. When a birth occurs on a moving conveyance while in international waters, air space, in a foreign country or its air space, and the child is first removed from the conveyance in the District, the

birth shall be registered in the District, but the certificate shall show the actual place of birth insofar as can be determined.

(e) For the purposes of preparation and filing a birth certificate the following rules apply:

(1) The certificate shall include the name of the mother of the child;

(2) If the mother was married at the time of either conception or birth, or between conception and birth, the name of the husband shall be entered on the certificate as the father of the child, unless parentage has been determined otherwise by the Court pursuant to D.C. Code, sec. 16-909 et seq.;

(3) If the mother was not married at the time of either conception or birth or between conception and birth, the name of the father shall only be entered on the certificate with the written consent of the mother and the person to be named as the father, in which case, upon written request to the Registrar by both parents, the surname of the child shall be entered on the certificate as that of the father;