

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

H

1

HOUSE BILL 514

Short Title: Cause of Death Confidential.

(Public)

Sponsors: Representative Cromer.

Referred to: Judiciary.

March 9, 1989

A BILL TO BE ENTITLED

AN ACT TO RENDER THE CAUSE OF DEATH CONFIDENTIAL.

The General Assembly of North Carolina enacts:

Section 1. G.S. 130A-93 reads as rewritten:

"§ 130A-93. Access to vital records; copies.

(a) Only the State Registrar shall have access to original vital records.

(b) The State Registrar shall provide copies or abstracts of vital records, except those described in subsections (d), (e), ~~(f)~~, ~~(f1)~~, and (g), to any person upon request.

(c) The State Registrar shall provide certified copies of vital records, except those described in subsections (d), (e), (f), ~~(f1)~~, and (g), only to the following:

(1) A person requesting a copy of the person's own vital records or that of the person's spouse, child, parent, brother or sister;

(2) A person seeking information for a legal determination of personal or property rights; or

(3) An authorized agent, attorney or legal representative of a person described above.

(d) Copies, certified copies or abstracts of birth certificates of adopted persons shall be provided in accordance with G.S. 48-29.

(e) Copies or abstracts of the health and medical information contained on birth certificates shall be provided only to a person requesting a copy of the health and medical information contained on the person's own birth certificate, a person authorized by that person, or a person who will use the information for research purposes. The State Registrar shall adopt rules providing for the use of this information for research purposes.

1 (f) Copies, certified copies or abstracts of new birth certificates issued to persons
2 in the federal witness protection program shall be provided only to a person requesting a
3 copy of the person's own birth certificate and that person's supervising federal marshall.

4 (f1) Copies, certified copies or abstracts of death certificates registered on or after
5 January 1, 1990, which contain a physician's statement of the cause of death shall be
6 provided by the State Registrar or local registrar only to the deceased's next of kin, a
7 person authorized by the next of kin, or a person who will use the information for
8 research purposes. The State Registrar shall adopt rules providing for the use of this
9 information for research purposes.

10 (g) No copies, certified copies or abstracts of vital records shall be provided to a
11 person purporting to request copies, certified copies or abstracts of that person's own
12 vital records upon determination that the person whose vital records are being requested
13 is deceased.

14 (h) A certified copy issued under the provisions of this section shall have the
15 same evidentiary value as the original and shall be prima facie evidence of the facts
16 stated in the document. The State Registrar may appoint agents who shall have the
17 authority to issue certified copies under a facsimile signature of the State Registrar.
18 These copies shall have the same evidentiary value as those issued by the State
19 Registrar.

20 (i) The State Registrar shall be entitled to a fee not to exceed five dollars (\$5.00)
21 for issuing any copy of a vital record or for conducting a search of the files for the
22 records when no copy is made. An account of all fees received shall be kept and the fees
23 turned over to the State Treasurer for use by the Department for public health purposes.

24 (j) No person shall prepare or issue any certificate which purports to be an
25 official certified copy of a vital record except as authorized in this Article or the rules."

26 Sec. 2. G.S. 130A-116 reads as rewritten:

27 "**§ 130A-116. Contents of death certificate.**

28 The certificate of death shall contain those items prescribed and specified on the
29 standard certificate of death as prepared by the federal agency responsible for national
30 vital statistics. The State Registrar may require additional information. The statement of
31 cause of death contained in a death certificate is confidential and is not a public record
32 as defined in G.S. 132-1."

33 Sec. 3. This act is effective upon ratification and applies to deaths occurring
34 on or after January 1, 1990. The State Registrar may begin the rule-making process
35 upon ratification of this act but no rule shall be effective until January 1, 1990.