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TO: The Honorable Diane Rosenbaum, Chair
Senate Committee on Rules

FROM: Jennifer Woodward
State Registrar
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SUBJECT: HB 2093A

Chair Rosenbaum and Members of the Committee:

My name is Jennifer Woodward, State Registrar for Vital Records in the Oregon Health Authority's Public Health Division. I am here today to provide testimony in support of House Bill 2093A related to vital statistics. Suggestions from the Oregon Funeral Directors' Association, State Archives, Circuit Courts, the Council of Local Health Officials, and from genealogists have been incorporated into the bill. The -6 amendment modifies the definition of live birth and fetal death. We are fine with this amendment. It maintains the definitions that are in current law.

House Bill 2093A is referred to in Public Health as the Vital Records Modernization bill. This bill reorganizes and updates Oregon vital records and vital statistics law. As you can see, the bill is very long. The reorganization and modernization of the law is based on a model law that was written between 2009 and 2011 by the National Center for Health Statistics in collaboration with the National Association for Public Health Statistics and Information Systems.

The last model law was in 1992, and Oregon implemented that model in 1997. A lot has changed since then. The model law and House Bill 2093A update our laws to account for changes in technology, security and parentage. Oregon's current law does not address emerging areas such as electronic processes for registration and issuance of records, electronic and physical security of records, birth records when parents are the same sex, and amendments to the birth certificates following sex change.

While the size of the bill is rather daunting, about 80% of the law is the same. The bill simply reorganizes and clarifies the law so that it is easier to follow and understand. Therefore, there is no fiscal impact. I would like to take this opportunity to highlight some changes outlined in House Bill 2093A.

First, new language has been added to improve security and confidentiality of vital records and vital statistics. It is essential for Oregon to have secure vital records as these records, especially birth certificates, are the key documents used to establish or verify identity and citizenship. Restricted access to these records, secure electronic systems, and clear history of how the records are changed are needed to continue confidence and usefulness of vital records. HB 2093A keeps the confidential time frames for records that have been in law since the 1970s.

Second, the bill will improve registration of death certificates. Death certificates must be completed and registered before family members of the deceased can use them to settle the affairs of their loved ones, including insurance and social security. Information for public health purposes, such as tracking influenza deaths, must be completed on the death certificate before it can be used for public health purposes. Death certificates are registered in 6 days if they are completed by the funeral home and the person completing the cause of death portion is in the state's Electronic Death Registration System. Registration of the death takes 29 days if the electronic system is not used. This bill requires facilities, specifically hospitals with ten or more deaths, to use the electronic reporting system.

House Bill 2093A also improves death certificate registration by allowing death records to be completed and signed by the decedent's primary medical care provider for Oregonians receiving medical care in Washington, Idaho or California. Currently, only physicians or medical professionals licensed in Oregon can complete the cause of death section on the death certificate. This provides the best cause of death and other significant conditions information for public health use.

Finally, the bill streamlines the section of law on the requirements needed to change the item on the birth certificate that indicates sex. The sex on a birth certificate can be changed based on a court order that the person has completed sexual reassignment from one sex to the other rather than requiring surgical procedure.

In summary, House Bill 2093A will improve the state's vital records and statistics system and Oregon will be the first in the nation to implement the model law.

Thank you for this opportunity to testify in support of House Bill 2093A. If there are any further questions, I will be happy to be a resource to the committee.