

AMENDED IN ASSEMBLY MARCH 25, 2014

AMENDED IN ASSEMBLY MARCH 17, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1951

Introduced by Assembly Member Gomez

February 19, 2014

An act to amend Section 102425 of, and to add Section 102425.1 to, the Health and Safety Code, relating to vital records.

LEGISLATIVE COUNSEL'S DIGEST

AB 1951, as amended, Gomez. Vital records: birth certificates.

Existing law prescribes the duties of the State Registrar of Vital Statistics and local registrars of births and deaths with respect to the registration of a live birth. Under existing law, a certificate of live birth is required to contain, among other things, the full name, birthplace, and date of birth of both the father and mother of a child, except as provided.

Existing law provides for the Vital Statistics Advisory Committee, which, among other things, is required to review and make recommendations to the State Registrar as to proposals for addition or deletion of items on the certificate of live birth and advise the State Registrar on the content and format of the certificate. Existing law requires the State Registrar to publish within 30 days of receipt of recommendations by the committee, both a list of the recommendations adopted and a list of the recommendations not adopted, with reasons for the action.

This bill would instead require the State Registrar, with regard to identification of the parents, to modify the certificate of live birth to

contain 2 lines that both read “Name of Parent” and contain, next to each parent’s name, 3 check boxes with the options of mother, father, and parent to describe the parent’s relationship to the child. ~~The bill would require the State Registrar to submit a report to the Legislature regarding the modification within 30 days of the action.~~ The bill would also require that all local registrars, deputy registrars, and subregistrars use the modified certificate of live birth, update all forms to incorporate the modification, and discard all forms in use before the modification. The bill would make conforming changes.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 102425 of the Health and Safety Code
 2 is amended to read:
 3 102425. (a) The certificate of live birth for any live birth
 4 occurring on or after January 1, 1980, shall contain those items
 5 necessary to establish the fact of the birth and shall contain only
 6 the following information:
 7 (1) Full name and sex of the child.
 8 (2) Date of birth, including month, day, hour, and year.
 9 (3) Place of birth.
 10 (4) Full name, birthplace, and date of birth of each parent,
 11 including month, day, and year, and the relationship of the parent
 12 to the child.
 13 (A) The full name of the mother shall be the birth name of the
 14 mother.
 15 (B) If the parents are not married to each other, the father’s
 16 name shall not be listed on the birth certificate unless the father
 17 and the mother sign a voluntary declaration of paternity at the
 18 hospital before the birth certificate is prepared. The birth certificate
 19 may be amended to add the father’s name at a later date only if
 20 paternity for the child has been established by a judgment of a
 21 court of competent jurisdiction or by the filing of a voluntary
 22 declaration of paternity.
 23 (5) Multiple births and birth order of multiple births.
 24 (6) Signature, and relationship to the child, of a parent or other
 25 informant, and date signed.

- 1 (7) Name, title, and mailing address of the attending physician
2 and surgeon or principal attendant, signature, and certification of
3 live birth by the attending physician and surgeon or principal
4 attendant or certifier, date signed, and name and title of the certifier
5 if other than the attending physician and surgeon or principal
6 attendant.
- 7 (8) Date accepted for registration and signature of local registrar.
- 8 (9) A state birth certificate number and local registration district
9 and number.
- 10 (10) A blank space for entry of the date of death with a caption
11 reading "Date of Death."
- 12 (b) In addition to the items listed in subdivision (a), the
13 certificate of live birth shall contain the following medical and
14 social information, provided that the information is kept
15 confidential pursuant to Sections 102430 and 102447 and is clearly
16 labeled "Confidential Information for Public Health Use Only":
- 17 (1) Birth weight.
- 18 (2) Pregnancy history.
- 19 (3) Race and ethnicity of each parent.
- 20 (4) Residence address of the birth mother.
- 21 (5) A blank space for entry of census tract for the birth mother's
22 address.
- 23 (6) Date of first prenatal care visit, the number of prenatal care
24 visits, and commencing January 1, 2007, the date of last prenatal
25 care visit.
- 26 (7) Date of last normal menses and, commencing January 1,
27 2007, an obstetric estimate of completed weeks of gestation at
28 delivery.
- 29 (8) Description of complications and procedures of pregnancy
30 and concurrent illnesses, congenital malformation, and any
31 complication or procedure of labor and delivery, including surgery,
32 provided that this information is essential medical information and
33 appears in total on the face of the certificate.
- 34 (9) Commencing January 1, 2007, hearing screen results.
- 35 (10) Each parent's occupations and kind of business or industry.
- 36 (11) Education level of each parent.
- 37 (12) Principal source of payment for prenatal care, which shall
38 include the following: Medi-Cal, private insurance, self-pay, other
39 sources, and any other categories as may be determined by the
40 State Department of Public Health.

1 (13) Expected principal source of payment for delivery, which
2 shall include the following: Medi-Cal, private insurance, self-pay,
3 other sources, and any other categories as may be determined by
4 the State Department of Public Health.

5 (14) An indication of whether or not the child's parent desires
6 the automatic issuance of a social security number to the child.

7 (15) On and after January 1, 1995, the social security numbers
8 of each parent, unless subdivision (b) of Section 102150 applies.

9 (c) Paragraph (8) of subdivision (b) shall be completed by the
10 attending physician and surgeon or the attending physician and
11 surgeon's designated representative. The names and addresses of
12 children born with congenital malformations who require followup
13 treatment, as determined by the child's physician and surgeon,
14 shall be furnished by the physician and surgeon to the local health
15 officer, if permission is granted by either parent of the child.

16 (d) The parent shall only be asked to sign the form after both
17 the public portion and the confidential medical and social
18 information items have been entered upon the certificate of live
19 birth.

20 (e) (1) The State Registrar shall instruct all local registrars to
21 collect the information specified in this section with respect to
22 certificates of live birth. The information shall be transcribed on
23 the certificate of live birth in use at the time and shall be limited
24 to the information specified in this section.

25 (2) Information relating to concurrent illnesses, complications
26 and procedures of pregnancy and delivery, and congenital
27 malformations shall be completed by the physician and surgeon,
28 or the physician and surgeon's designee, who shall insert in the
29 space provided on the confidential portion of the certificate the
30 appropriate number or numbers listed on the VS-10A supplemental
31 worksheet. The VS-10A supplemental form shall be used as a
32 worksheet only and shall not in any manner be linked with the
33 identity of the child or the birth mother, nor submitted with the
34 certificate to the State Registrar. All information transferred from
35 the worksheet to the certificate shall be fully explained to the parent
36 or other informant prior to the signing of the certificate. Questions
37 relating to drug or alcohol abuse shall not be asked.

38 (f) (1) The Vital Statistics Advisory Committee, in accordance
39 with Section 102465, shall conduct a review of the contents of the
40 certificate of live birth to coincide with decennial revisions by the

1 National Center for Health Statistics to the United States Standard
2 Certificate of Live Birth. The Vital Statistics Advisory Committee
3 shall make recommendations to the State Registrar regarding the
4 adoption of modifications to the state certificate of live birth that
5 are similar to those made to the federal certificate.

6 (2) Notwithstanding Section 102470, the State Registrar shall
7 review the Vital Statistics Advisory Committee recommendations
8 and, at the State Registrar's discretion, shall submit to the
9 Legislature, for approval, additions or deletions to the certificate
10 of live birth.

11 SEC. 2. Section 102425.1 is added to the Health and Safety
12 Code, to read:

13 102425.1. (a) Notwithstanding Sections 102465 and 102470,
14 the State Registrar of Vital Statistics, with regard to identification
15 of the parents, shall modify the certificate of live birth to do both
16 of the following:

17 (1) Contain two lines that both read "Name of Parent."

18 (2) Contain, next to each parent's name, three checkboxes to
19 choose from with the following options to describe the parent's
20 relationship to the child:

21 (A) Mother.

22 (B) Father.

23 (C) Parent.

24 ~~(b) Notwithstanding Section 102470, the State Registrar shall~~
25 ~~submit a report to the Legislature regarding the modification within~~
26 ~~30 days of the action.~~

27 ~~(c) A report to be submitted pursuant to subdivision (b) shall~~
28 ~~be submitted in compliance with Section 9795 of the Government~~
29 ~~Code.~~

30 ~~(d)~~

31 (b) (1) The certificate of live birth, as described in subdivision
32 (a), shall be used by all local registrars, deputy registrars, and
33 subregistrars.

34 (2) The local registrars, deputy registrars, and subregistrars shall
35 update all forms to incorporate the modification and discard all
36 forms in use before the modification described in subdivision (a).

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