

## **RECORDS ISSUANCE POLICY**

**PURPOSE:** To provide clear requirements for the issuance of Certified Birth and Death Certificates and comply with Indiana Laws limiting issuance to persons who can demonstrate a direct interest in the requested record and provide valid identification.

### **ACCEPTABLE IDENTIFICATION**

In accordance with IC 16-37-1-8 and at the recommendations of the Indiana Vital Records Association, the following list of acceptable identification has been established for the issuance of Birth and Death Records. Must have **(1)** of the following:

1. Valid drivers license
2. Military ID
3. State ID card
4. Valid passport
5. Matricula Consular
6. Dept of Correction ID with signature

If the applicant does not have one of the acceptable forms of ID, the applicant will be asked to have an eligible family member or other authorized person to obtain the birth certificate.

#### **Secondary Documentation:**

If the applicant is the person named on record and has neither acceptable ID nor a qualified family member, the registrar may accept **(2)** of the following:

- 1) Employment ID with signature, photo, date of employment and/or employer address
- 2) Local bankcard with signature (not credit cards) or signature card from bank
- 3) Voter registration card with signature
- 4) Professionally prepared previous year's tax returns with signature and social security number
- 5) Probation documents or statement from Probation officer on letterhead
- 6) Current local loan agreements from a financial institution with signature
- 7) Signed Social Security card
- 8) Paternity Affidavit with signature
- 9) Marriage Certificate application with signature

Signatures cannot be done in our office.

## **BIRTH AND DEATH RECORDS**

IC 16-37-1-8: (a) Except as provided in subsection (c), a local health officer shall provide a certification of birth, death, or stillbirth registration upon request by any person only if:

- 1) The health officer is satisfied that the *applicant has a direct interest* in the matter;
- 2) The health officer determines that the *certificate is necessary for the determination of personal or property rights or for compliance with state or federal law*; and
- 3) The applicant for a birth certificate presents *at least one (1) form of identification*

However, the local health officer must issue a certificate of an applicant's own birth Registration.

The policy of the Wayne County Health Dept shall be in accordance with IC 16-37-1-8, that certified copies of a birth or death record can be issued to an individual only if:

- 1) The individual can complete the appropriate request form with proper information to identify the record
- 2) The applicant is
  - a) The person named on record
  - b) Parent (must be listed on record)
  - c) Stepparent (must provide proof of marriage with current, joint bank statement, taxes, mortgage statement, etc.)
  - d) Legal guardian (must provide certified copy of guardianship papers)
  - e) Spouse (must provide proof of marriage with current, joint bank statement, taxes, mortgage statement etc.)
  - f) Adult sibling (must be over 18 and verify with birth record)
  - g) Half-brother/sister (must verify that one parent is same with birth record)
  - h) Grandparents (must provide proof of being the parent of one of the parents listed on the record)
  - i) Child of person (must be over 18 years of age and have birth record of self)
  - j) Attorney representing person named on record (identification along with proof of direct interest)

- k) Caseworker from Division of Family Services (work identification with direct interest)
- l) State/Federal agencies (with acceptable identification along with work identification and direct interest spelled out on letterhead or certified court documents)
- 3) The applicant can provide at least one form of identification from the acceptable identification list included in this policy. Or two forms of secondary documentation list included in this policy.

PLEASE NOTE THAT ANY INDIVIDUAL CAN RECEIVE A NON-CERTIFIED, UNOFFICIAL (NOT STAMPED OR SEALED) COPY OF A **BIRTH** OR DEATH RECORD.

- 1) The record will state "This is not a legal document"
- 2) There will be no social security number listed
- 3) A request form must be filled out
- 4) Identification will be required
- 5) There is a \$5.00 fee for non-certified copies

\*\* See legislation change below \*\*

Laws pertaining to Indiana's Public Access and Open Door/Open Record policies are found in IC 5-14-1-5 and IC 5-14-3

## HEA 1148

Beginning July 1, 2025 only people with a direct interest in the record will be entitled to *certified and non-certified* copies of births and stillbirths until 99 years after the record is created, instead of 75 years. The additions to Indiana Code are in bold text below.

### IC 5-14-34

(d) Notwithstanding any other law, a public record that is classified as confidential, other than a record concerning:

- (1) an adoption or patient medical records; or
- (2) a birth or stillbirth;

shall be made available for inspection and copying seventy-five (75) years after the creation of that record. **A registration or certificate of a birth or stillbirth shall be made available in accordance with IC 16-37-1-7.5.**

### SECTION 2. IC 16-37-1-7.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]:

**Sec. 7.5. (a) A registration or certificate of a birth or stillbirth shall be open to public inspection, and a copy provided, upon the request of any person that occurs on or after the date that is ninety-nine (99) years after the record's creation date.**

**(b) Notwithstanding subsection (a), the birth record of an adopted child remains subject to the confidentiality provisions of IC 31-19 regarding the release of adoption information.**

### SECTION 3. IC 16-37-1-8, AS AMENDED BY P.L.40-2024, SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE HEA 1148 11 JULY 1, 2025]:

**Sec. 8. (a) Except as provided in section 7.5 of this chapter and subsection (d), a local health officer shall provide a certification of birth, death, or stillbirth registration upon request by any person only if:**

- (1) the health officer is satisfied that the applicant has a direct interest in the matter;
- (2) the health officer determines that the certificate is necessary for the determination of personal or property rights or for compliance with state or federal law;

### SECTION 4. IC 16-37-1-10, AS AMENDED BY P.L.138-2019, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 10.

- (a) Information contained in a birth record is confidential and may be disclosed only in accordance with this article.
- (b) Except as provided in section 7.5 of this chapter and subsections (c) and (d), the records and files of the division of the state department concerning vital statistics are subject to this article and rules of the state department. Data contained in the records and files may be disclosed only as follows:
  - (1) The state registrar shall permit inspection of the records or issue a certified copy of a certificate or part of a certificate only if the state registrar is satisfied of the following:
    - (A) That the applicant has a direct interest in the matter recorded.