

# BIRTH REGISTRATION

## I. GENERAL INFORMATION

### A. Filing Requirement

A Certificate of Live Birth must be filed for each live birth occurring within this state, by the attending physician or other person in attendance, even if the infant lives for only a very short period of time. The certificate is to be filed with the Local Registrar of the county in which the birth occurred, or as otherwise directed by the State Registrar, within fifteen (15) days of the date of birth.

If an infant is delivered and shows any evidence of life, at any gestational age, and subsequently dies, both a Certificate of Live Birth and a Certificate of Death must be filed by the respective responsible parties.

*“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. [Idaho Code §39-241(10)]*

The current version (at the time of birth) of the Idaho Certificate of Live Birth is to be completed and filed. A sample of the certificate currently in use is available online at [Vital Records and Health Statistics](#).

The hospital or person responsible must complete the birth certificate and obtain the signature of the certifier and a parent. If applicable, they must also obtain a completed Acknowledgment of Paternity Affidavit or a certified copy of a court determination of paternity. The certificate and paternity affidavit or court determination (when applicable) must be filed with the Local Registrar or as otherwise instructed. Signatures must be affixed to the live birth certificate when birth did not occur in a hospital or freestanding birthing center. The signed medical record and worksheet will suffice when the birth occurs in a hospital or freestanding birthing center.

Once the Local Registrar has accepted a certificate for filing, the original birth certificate along with the paternity affidavit, when applicable, is to be forwarded by the Local Registrar, within 5 working days, to **Vital Statistics** in the supplied postage-paid envelopes. A copy of the birth certificate shall be retained by the Local Registrar for 3 years.

*(With implementation of the Electronic Birth Certificate (EBC) system, most hospital completed birth certificates are filed directly with **Vital Statistics**.)*

### B. Purpose

Facts about the birth of a child are important in several ways:

A birth certificate proves date of birth for:

- Entrance to school
- Proof of age for athletics

- Permit to work or enter business
- Right to drive a car
- Right to vote
- Right to marry
- Right to enter or be exempt from military service
- Settlement of pensions
- Social Security benefits

A birth certificate proves place of birth for:

- Establishing citizenship
- Securing passports
- Military clearance
- Security purposes

A birth certificate proves facts of birth for:

- Social Security card for tax purposes
- Proving parentage
- Inheritance of property
- Legal dependency
- Employment requirement under Immigration law
- Genealogy (tracing ancestry)
- Establishing identity

A birth certificate provides statistics for:

- Risk factors –vs.- outcome
- Teen pregnancy

### **C. Unreported Births**

If the Local Registrar should learn of an unrecorded birth, they should contact the person responsible for reporting the birth. Any problems encountered in obtaining a complete certificate should be referred to the State Registrar.

### **D. Home Births**

Births occurring at home or other location (not in or en route to a hospital or birthing center) are to have a birth certificate prepared and filed, within 15 days of the date of birth, by the physician, midwife, or other person in attendance at or immediately after the birth.

The birth certificate must be signed (original signature) by both the certifier and the parent or legal guardian. Additional evidence of the birth may be required by the State Registrar, along with the birth certificate, when an infant is delivered at home or other location (not in or en route to an institution). The Local Registrar should help prepare the certificate by typing in as much information as is available. Do not give out a blank certificate unless it is to a person on the **Vital Statistics** approved midwife list. Contact **Vital Statistics at (208) 334-5984** to verify midwife status. Allow the person (after making a file copy) to take the certificate, if necessary, in order to obtain the required signatures, but make sure the signed certificate is returned for filing within a reasonable length of time. The birth certificate is, by law, to be filed within 15 days of birth along with a properly completed, notarized, original Acknowledgment of Paternity Affidavit or a certified copy of a court determination of

paternity, *when applicable*.

Instructions on completing the Certificate of Live Birth for a birth that occurs outside a hospital or freestanding birthing center are available online at <http://vitalrecords.dhw.idaho.gov>

#### **E. Births Occurring in a Moving Conveyance**

Births occurring in a moving conveyance are to be recorded as having occurred at the place where the baby was first removed from the conveyance.

#### **F. Foundlings**

A "Certificate of Live Birth--Foundling" is to be filed for each child of unknown parentage within fifteen (15) days of being found. Since the parentage is not known (should not be known), a foundling birth certificate must be placed on file for a child abandoned under the Idaho Safe Haven Act. The certificate is to be completed and filed by the person assuming custody of the child. The certificate is acceptable for all uses in lieu of a normal birth certificate. **The State Registrar should be notified immediately in the event of an abandoned child, since this is uncommon and requires special instructions for filing of a birth certificate.**

A sample copy of the Certificate of Live Birth--Foundling is available online at [www.vitalrecords.dhw.idaho.gov](http://www.vitalrecords.dhw.idaho.gov).

#### **G. Late and Delayed Birth Registration**

The Local Registrar may accept for registration a Certificate of Live Birth any time within one (1) year of the date of birth unless instructed otherwise by **Vital Statistics**. Births must be filed on the most recent revision of the certificate.

All births registered one (1) year or more after the date of birth are to be registered directly with the State Registrar as delayed filings on a "Delayed Certificate of Birth" form. All inquiries and correspondence regarding registration of births one (1) year or more after the date of birth must be referred to **Vital Statistics at (208) 334-6538**.

The procedure followed by **Vital Statistics** in handling delayed birth registration is found in Idaho Code §39-278 and in the departmental rules (IDAPA 16.02.08.650). Idaho Code §39-267 and Idaho Code §39-278 provides more information regarding court ordered delayed registration of birth.

## **II. VITAL STATISTICS PROCEDURES**

### **A. Birth Notification**

After screening and processing of the live birth certificates, they are permanently filed with **Vital Statistics**. This office notifies the parents through a verification letter, which includes an abstract of the birth information, that the birth has been registered. The verification letter shows only selected information from the birth certificate, most of which is necessary for legal purposes, including the child's full name, sex, date of birth, birthplace, names of parents, etc. The letters are not certified copies of the birth certificate and cannot be used as legal documents.

The parents are asked to check the accuracy and completeness of the information appearing on the verification letter. Instructions for correcting errors and a correction

affidavit are included as part of the letter. Other pertinent information on immunizations is enclosed with the verification letter.

*A birth verification letter is not sent to the parent(s) if a question on paternity exists or if the child is to be adopted.*

The certificate request form for ordering a certified copy of the birth certificate is located at <http://vitalrecords.dhw.idaho.gov>. The Fee Schedule for obtaining documents and services from Vital Statistics is also located at <http://vitalrecords.dhw.idaho.gov>.

## **B. Correction of Birth Certificates**

A person wishing to correct a birth certificate that has been registered with **Vital Statistics** should be referred to **Vital Statistics at (208) 334-5990**. Issues on paternity should be referred to the Vital Statistics Paternity Specialist at **(208) 334-5990**.

Note: Care should be taken when completing any correction affidavit.

The correction affidavit is available online at <http://vitalrecords.dhw.idaho.gov>

### **AN ITEM CAN BE CORRECTED ONLY ONE TIME**

Once an item has been amended, it cannot be amended again except upon receipt of a court order from an Idaho court. The procedure followed by Vital Statistics in handling court ordered amendments is found in Idaho Code §39-278.

----The requirements for correcting a birth certificate are as follows:  
(Please note: The following instructions do not apply in all cases, depending on circumstances and/or any previous actions taken.)

#### **Less than one year from the date of the event:**

An incorrect item on a Certificate of Live Birth may be corrected/amended with a completed, notarized correction affidavit. The affidavit must:

1. Identify the certificate to be corrected,
2. Include the incorrect information as it is listed on the certificate,
3. State the correct information as it should appear,
4. Be signed by one or both parents or the child's legal guardian, when applicable (depending on the circumstances).
  - Either parent may sign to correct minor spelling or typing errors
  - Both parents must sign to change or add a child's name (If the father is not listed only the mother's signature is necessary.)

Documentation to support the requested amendment is required to change the time of birth, date of birth or sex of the child.

Supporting documentation may also be required for other minor corrections.

#### **One year but less than seven years from the date of the event**

A completed correction affidavit (as noted above in the instructions for less than one year) is required along with one or more documents that support the requested amendment.

The addition of a child's given name(s) on the birth certificate, when only a surname is listed, requires only a notarized affidavit signed by both parents. If the father is not listed, only the mother's signature is necessary.

### **Seven years and more from the date of the event**

A completed correction affidavit (as noted above in the instructions for less than one year) is required along with one or more dated document(s) that support the requested amendment. A document dated within the first year of birth may be required.

### **Paternity**

The correction procedures listed above cannot be used to add or remove a father's name or to list a different father.

An Acknowledgment of Paternity Affidavit form may be completed in order to add a father's name (mother - not married) or to list the biological father when the husband is not the biological father (mother - married). This affidavit may be completed prior to or after the birth.

A sample Acknowledgment of Paternity Affidavit form is available online at [www.vitalrecords.dhw.idaho.gov](http://www.vitalrecords.dhw.idaho.gov).

Issues on paternity should be referred to the **Vital Statistics** Paternity and Adoption Specialist at **Vital Statistics at 334-5990**.

### **C. Legitimation**

When a child born out-of-wedlock has been legitimated by the subsequent marriage of the child's natural parents, the original birth certificate can be replaced to show the information as it would have been shown if the parents had been married at the time the child was born. The requirements to replace the original birth certificate are a notarized "paternity and subsequent marriage" affidavit completed and signed by the father and mother acknowledging him to be the natural father of the child *and* a certified copy of the parents' marriage certificate.

All correspondence pertaining to legitimation should be sent to **Vital Statistics**. All amendment procedures of this nature are to be conducted by **Vital Statistics**.

### **D. Registration of Notice of Commencement of Paternity Proceedings** (Referred to as the Putative Father Registry)

**Vital Statistics** maintains a Putative Father Registry for fathers of children born out-of-wedlock who wish to claim rights of paternity. The registry enables fathers of children born out-of-wedlock to declare their paternal rights and intent to support the child to the best of their ability. More information can be obtained from **Vital Statistics**.

A copy of the registration form and information on the registry is available online at <http://vitalrecords.dhw.idaho.gov>

### **E. Abandoned Child Registry**

A parent of a child surrendered to a Safe Haven who wants to claim parental rights

must file a notice of claim of parental rights with **Vital Statistics** before a court order is entered terminating parental rights. Forms for this registration are available at the office of the county clerk in every county in Idaho and from **Vital Statistics**.

A copy of the Abandoned Child Registry form is available online at <http://vitalrecords.dhw.idaho.gov>.

## **F. Adoption**

The Clerk of the District Court having jurisdiction over an adoption is required by law to send to **Vital Statistics** a certified Certificate of Adoption. A new birth certificate is prepared upon request of the attorney or adopting parents for children born in Idaho. The new birth certificate lists the adopting parents and when applicable, the child's new name. The original birth certificate and adoption documents are sealed in a file in **Vital Statistics** and can only be opened by an order from an Idaho court, except as provided for in Idaho Code §39-259A(f), which pertains to the Voluntary Adoption Registry.

A birth certificate for a foreign born child who was adopted in Idaho may be placed on file when requested and appropriate documentation is provided.

## **G. Voluntary Adoption Registry**

**Vital Statistics** maintains a confidential Voluntary Adoption Registry for individuals such as an adoptee (born in Idaho) or their birth parent(s) who wish to be known to the other party(ies). More information can be obtained from **Vital Statistics**.

A copy of the Voluntary Adoption Registry form is available online at <http://vitalrecords.dhw.idaho.gov>.

# **III. REVIEW AND SCREENING**

## **A. General Guidelines**

The Certificate of Live Birth must be legibly completed using a typewriter with good black ribbon and clean keys, a computer printer with high resolution, or by printing neatly and legibly using permanent, unfading black ink. Certificates completed in other colored ink or pencil is not acceptable.

The current version (at the time of birth) of the Idaho Certificate of Live Birth is to be completed and filed. A certificate that is prepared on an improper form, is a photo or carbon copy, or is defaced will be rejected.

All items must be completed or the reason for their omission explained. Entries such as "unknown," "not available," or a dash "-" may be given when appropriate.

A certificate that is incomplete, contains improper or inconsistent data, lined-through information, excessive white out, messy alterations, or erasures is not acceptable.

When a birth occurs outside a hospital or freestanding birthing center, the certifier and one parent must personally sign the birth certificate in black or dark blue ink; other colored ink, pencil, rubber stamps, or facsimile signatures are not acceptable.

When a birth occurs in or en route to a hospital or freestanding birthing center, the name of the certifier and the name of the parent may be typed on the birth certificate

in place of the signatures; the actual signatures must be on the medical record and worksheet kept at the birthing facility.

If the mother was married at birth, conception, or any time between [see item #14 of *How To Complete a Birth Certificate*], the husband must be listed as the father.

If the mother was not married at birth, conception, or any time between [see item #14 of *How to Complete a Birth Certificate*], the natural father's information can be listed only when a properly completed original Acknowledgment of Paternity Affidavit or certified copy of a court determination of paternity is filed with the birth certificate; otherwise, the father's information must be blank.

A sample copy of the paternity affidavit is available online at [www.healthandwelfare.idaho.gov](http://www.healthandwelfare.idaho.gov).

Upon receipt of a birth certificate, the Local Registrar must screen the form thoroughly. The certificate should be accepted for filing only if it is complete and appears accurate. If the certificate meets all requirements, the Local Registrar will accept the certificate for filing. A file copy is to be made by the Local Registrar and the original birth certificate forwarded to Vital Statistics.

The Local Registrar should forward the birth certificate to Vital Statistics for permanent filing within 5 working days from the date the accepted certificate is received for filing.

The Local Registrar does not enter a local registrar number, signature, or date on the Certificate of Live Birth.

The Local Registrar should make a copy of all unacceptable birth certificates prior to returning the certificate to the hospital or certifier and place the copy in a tickler file for any needed follow up. The hospital or certifier must file a satisfactory replacement of a rejected certificate within a reasonable time.

No corrections or additions to the legal (top front) portion of the certificate are to be made by the Local Registrar. The Local Registrar may make additions to the statistical (lower and back) portion of the certificate if the additions are few (for example, to add birth weight) and the information has been obtained from the appropriate person (hospital or certifier). In most cases, however, it is preferable that the certificate be returned to the hospital or certifier for correction. The Local Registrar must make sure that all returned certificates are re-filed within a reasonable time.

**If a Local Registrar receives a certificate for a birth that occurred in another registration district, the certificate should immediately be forwarded to the appropriate Local Registrar.**

*Note: If the certificate is not acceptable for filing, a file copy should be made and the original certificate returned to the hospital or certifier for completion. The hospital or certifier should also be given the name and address of the appropriate Local Registrar with which to file the completed certificate. The Local Registrar for that county should be sent a file copy and notified of the action.) A record of this action should also be kept by the initial Local Registrar.*

A current listing of Local Registrars is available online at <http://www.vitalrecords.dhw.idaho.gov>.

*Do not attach sticky notes to certificates on top of the typed information; the ink may lift off when the note is removed.*

## **B. Helpful Resources**

The instructions for completion of every item on the Certificate of Live Birth can be found in the additional reference guide titled *How to Complete a Birth Certificate*.

Please contact **Vital Statistics**, registration or field staff, with any problems, questions or concerns regarding completion of the Certificate of Live Birth.