

**ARTICLE 33-04  
HEALTH STATISTICS**

Chapter

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33-04-02	Duties of the Local Registrars [Repealed]
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**CHAPTER 33-04-01  
DUTIES OF THE STATE REGISTRAR**

Section

33-04-01-01	Forms
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**33-04-01-01. Forms.**

All paper certificates, forms, and reports used in the system of vital records registration and health statistics tabulation and analysis are the property of the state department of health and shall be surrendered to the state registrar upon demand. The forms prescribed and distributed by the state registrar for reporting vital events shall be used only for official purposes. No forms shall be used in the reporting of vital events or making copies thereof except those furnished or approved by the state registrar.

**History:** Amended effective January 1, 2008.

**General Authority:** NDCC 23-02.1-04, 28-32-02

**Law Implemented:** NDCC 23-02.1-04

**33-04-01-02. Requirements for preparation of paper certificates and worksheets.**

All paper certificates and records relating to for all vital events must ~~either be prepared on a typewriter with a black ribbon or printed legibly in black nonfading ink~~ printed on security paper directly from an authorized computer or copier. All signatures required shall be ~~entered in black nonfading ink~~ an acceptable e-signature. Unless otherwise specified by the state registrar, no certificates or records shall be complete, correct, and acceptable for registration that:

1. Does not ~~include have~~ the certifier's name or electronic signature ~~typed or printed legibly under the certifier's signature~~.
2. Does not supply all items of information called for thereon or satisfactorily account for their omission.
3. Contains significant alterations or erasures.

4. Does not contain handwritten signatures ~~as~~ where required.
5. Is marked "copy" or "duplicate".
6. Is a carbon, photographic, or xerographic copy.
7. Is prepared on an improper form.
8. Contains inconsistent or improper data.
9. Contains an indefinite cause of death which denotes only symptoms of disease or conditions resulting from disease.
10. Is not prepared in conformity with rules or instructions issued by the state registrar.

**History:** Amended effective January 1, 2008.

**General Authority:** NDCC 23-02.1-04, 28-32-02

**Law Implemented:** NDCC 23-02.1-04

## CHAPTER 33-04-04 BIRTH REGISTRATION

Section

33-04-04-01      General Provisions

33-04-04-02      Home Births

### **33-04-04-01. General provisions.**

If the mother of the child was not married at the time of conception or birth, the child's surname shall be shown on the record as the legal surname of the mother at the time of the birth unless otherwise determined in a court paternity action, or unless an acknowledgment of paternity signed by both parents is received stating the surname of the child to be the legal surname of the mother or father.

If the father is not named on the certificate of birth, no other information about the father shall be entered on the certificate.

**History:** Amended effective January 1, 2008.

**General Authority:** NDCC 23-02.1-04, 28-32-02

**Law Implemented:** NDCC 23-02.1-13

### **33-04-04-02. Home Births.**

When a birth occurs outside an institution and is not attended by a physician or midwife or is not witnessed by a physician or midwife immediately after the birth, the parents are required to provide additional documents approved by the State Registrar to prove that the mother was pregnant, the child was born alive and that the child was born in North Dakota, before the birth will be registered.

If the parents are unable or unwilling to provide all the additional documents, the birth can only be registered by an order received from a court of competent jurisdiction. The parents will be still needed to complete the informational worksheets containing all the birth facts, regardless of the terms of the order.

**History:** Effective July 1, 2021.

**General Authority:** NDCC 23-02.1-04, 28-32-02

**Law Implemented:** NDCC 23-02.1-13

**CHAPTER 33-04-15  
FEES FOR COPIES AND SEARCHES**

Section

33-04-15-01 Fee Required Before Issuance or Search

33-04-15-02 Amount of Fee

**33-04-15-01. Fee required before issuance or search.**

No certified copies shall be issued or a search for a record can be started until the fee for such copy (and filing fee for delayed records of birth) or search has been received unless specific approval has been obtained from the state registrar or otherwise provided by statute or regulation.

**History:** Amended effective January 1, 2008.

**General Authority:** NDCC 23-02.1-04, 28-32-02

**Law Implemented:** NDCC 23-02.1-29

**33-04-15-02. Amount of fee.**

1. For the issuance of the first full certified copy, short form, or certification of a birth record, the initial fee per request is ~~seven~~ fifteen dollars. ~~For subsequent copies or certifications, issued at the time of the request, the fee is four dollars per copy.~~ The filing fee for a delayed record of birth is ~~five~~ fifteen dollars. The fee for amendments to vital records is ~~five~~ fifteen dollars per request. The fee for creation of a new record of birth following adoption, legitimation, or paternity determination is ~~five~~ fifteen dollars. For each search of the files when no birth record is found or no copy is made, a fee of ~~seven~~ fifteen dollars shall be charged.
2. For the issuance of the first certified copy of a death, fetal death, or marriage record, the initial fee per request is ~~five~~ fifteen dollars. For subsequent copies issued at the time of the request, the fee is ~~two~~ ten dollars per copy. For each search of the files when no death or marriage record is found or no copy is made, a fee of ~~five~~ fifteen dollars shall be charged.
3. For statistical research purposes, the state registrar shall determine the fee for such services and shall determine the manner in which the costs are to be paid.
4. For each verification of a vital record, the fee is the same as the first certified copy for that record unless specific approval has been obtained from the state registrar or otherwise provided by statute or regulation.

**History:** Amended effective February 1, 1984; January 1, 1986; January 1, 2008

**General Authority:** NDCC 23-02.1-04, 28-32-02

**Law Implemented:** NDCC 23-02.1-29