

Testimony**NDAC 33-04****Administrative Rules Committee****December 12, 2007; 9:45 a.m.****North Dakota Department of Health**

Good morning, Chairman and members of the administrative rules committee. My name is Darin Meschke. I am the State Registrar and the Director of the North Dakota Department of Health's Division of Vital Records.

The Division of Vital Records is required by state law to register and certify all births that occur in the state. Based on the changes that were made to HB1129, last legislative session, we needed to make similar changes to NDAC 33-04.

1. Yes. Changes were made to NDCC 23-02.1 during the last legislative session that go into effect on January 1, 2008, which required these administrative rules to have the same effective date.
2. Rule changes are not directly related to any federal regulation, but the changes to NDCC 23-02.1 were based on pending federal legislation – Intelligence Reform and Terrorism Prevention Act of 2004. (These new federal regulations should be ready for public review in early 2008)
3. The Department of Health published a Notice of Intent to Amend Administrative Rules in at least one paper in each of the 53 counties in the state. The run dates in those newspapers were in mid- to late September and announced that a public hearing would be held on October 23, 2007 in AV Room #212 at the ND Department of Health in Bismarck.
4. At the public hearing on October 23, 2007, no one expressed any objection or complaint regarding the proposed amendments to NDAC 33-04. To this date, no one has expressed any negative comments regarding these proposed amendments.
5. The approximate cost of the newspaper notification and public hearing was \$ 1,497.50.
6. These administrative rules deal with the operation of the Division of Vital Records within the ND Department of Health and the changes that were made to NDCC 23-02.1, which also deals with the administration of vital event data and health statistics. The majority of the changes deal with the new electronic registration of birth, death and fetal death records. The ND Department of Health's new web-based application called EVERS (Electronic Vital Event

Registration System) made changing the state century code a necessity and along with those changes came the changes to the administrative code.

7. No.

8. Yes. Regulatory analysis was completed and is attached.

9. No.

10. Rules were not adopted as an emergency.