SENATE BILL 931

J1 6lr3089 CF HB 280

By: Senators Zucker, Guzzone, and Raskin

Introduced and read first time: February 5, 2016

Assigned to: Finance

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 18, 2016

CHAPTER

- 1 AN ACT concerning
- 2 Birth Certificates Homeless Individuals Prohibition on Collection of Fee
- 3 FOR the purpose of prohibiting the Department of Health and Mental Hygiene from 4 collecting a fee for a certain copy of a birth certificate issued to a homeless individual; 5 requiring the Department to accept a signed written statement from a homeless 6 individual as proof of homelessness a certain statement from a certain homeless 7 services provider; providing that a homeless individual may receive one copy of a birth certificate without a fee in a certain transaction; requiring the Department to 8 9 adopt certain regulations; defining a certain term; and generally relating to 10 prohibiting the collection of fees for copies of birth certificates issued to homeless 11 individuals.
- 12 BY repealing and reenacting, with amendments,
- 13 Article Health General
- 14 Section 4–217
- 15 Annotated Code of Maryland
- 16 (2015 Replacement Volume)
- 17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
- 18 That the Laws of Maryland read as follows:
- 19 Article Health General
- 20 4–217.

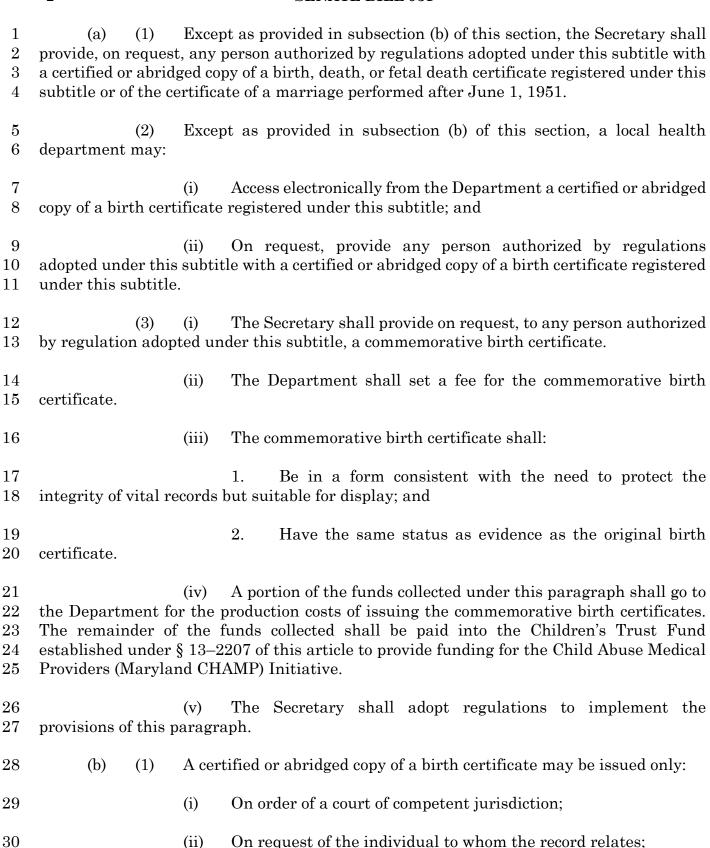
EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

<u>Underlining</u> indicates amendments to bill.

Strike out indicates matter stricken from the bill by amendment or deleted from the law by amendment.





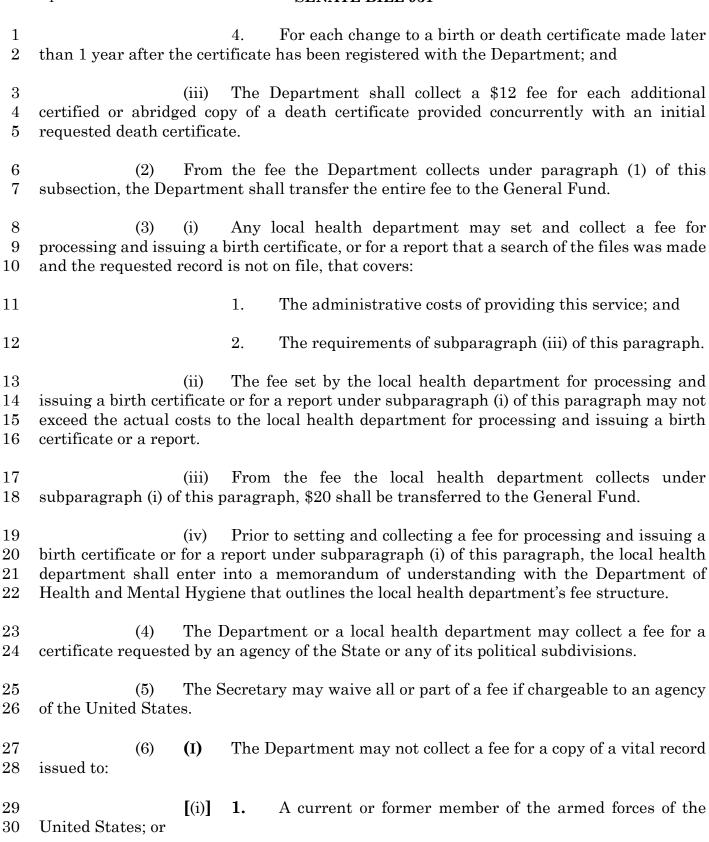
31 (iii) On request of a parent, guardian, surviving spouse, or other 32 authorized representative of the individual; or

1 In accordance with Title 5, Subtitle 3A or Subtitle 4B of the 2 Family Law Article. 3 A certified or abridged copy of a birth certificate may contain only the 4 personal information that appears on the birth certificate and may not include any 5 confidential medical information that appears on the birth certificate. 6 Birth certificate information may not be given if it is to be used for 7 commercial solicitation or private gain. 8 **(4)** A noncertified copy of a birth certificate including confidential medical 9 information may be provided to a unit of the Department to carry out its legal mandate or to conduct Institutional Review Board (IRB) approved research or study. Any report 10 resulting from this research or study may not contain personal identifiers unless authorized 11 12 by the subject of the record or the subject's parent or authorized representative. 13 A copy of a birth certificate may be given to the Maryland Immunization (5)14 Program to improve childhood immunization rates. Except as otherwise provided by law: 15 (c) (1) The Department shall collect a \$12 fee: 16 (i) 17 For each certified or abridged copy of a fetal death, 1. 18 marriage, or divorce verification certificate; 19 2. For a report that a search of the fetal death, marriage, or 20 divorce verification certificate files was made and the requested record is not on file; 213. For each change to a fetal death, marriage, or divorce 22verification certificate made later than one year after the certificate has been registered 23 with the Department; or 244. To process an adoption, foreign adoption, or legitimation; 25(ii) The Department shall collect a \$24 fee: 26 [For] EXCEPT AS PROVIDED IN PARAGRAPH (6)(II) OF 27 THIS SUBSECTION, FOR each certified or abridged copy of a birth certificate: 28 2. For the first copy of a certified or abridged death certificate 29 issued in a single transaction; 30 3. For a report that a search of the birth or death certificate 31 files was made and the requested record is not on file; or

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[(ii)] **2.**



will be used in connection with a claim for a dependent or beneficiary of the member.

The surviving spouse or child of the member, if the copy

1	(II) 1. In this subparagraph, "homeless individual"
$\overline{2}$	HAS THE MEANING STATED IN THE FEDERAL MCKINNEY-VENTO HOMELESS
3	ASSISTANCE ACT (42 U.S.C. § 11302(A)).
	<u> </u>
4	2. The Subject to subsubparagraph 4 of this
5	SUBPARAGRAPH, THE DEPARTMENT MAY NOT COLLECT A FEE FOR A CERTIFIED OR
6	AN ABRIDGED COPY OF A BIRTH CERTIFICATE ISSUED TO A HOMELESS INDIVIDUAL.
7	2. 3. THE DEPARTMENT SHALL ACCEPT AS PROOF
8	OF HOMELESSNESS A SIGNED WRITTEN STATEMENT FROM A HOMELESS INDIVIDUAL
9	THAT THE INDIVIDUAL IS HOMELESS AS PROOF OF HOMELESSNESS HOMELESS
0	SERVICES PROVIDER LOCATED IN THE STATE THAT:
1	A. AFFIRMS THAT THE INDIVIDUAL IS HOMELESS; AND
2	B. INCLUDES THE ADDRESS TO WHICH THE COPY OF THE
13	BIRTH CERTIFICATE REQUESTED UNDER THIS SECTION MAY BE SENT.
4	4. A HOMELESS INDIVIDUAL MAY RECEIVE ONE COPY OF
15	A BIRTH CERTIFICATE WITHOUT A FEE IN A SINGLE TRANSACTION.
C	THE DEPARTMENT CHAIL ADOPT DECLY ATTONIC TO
16	5. THE DEPARTMENT SHALL ADOPT REGULATIONS TO
L 7	IMPLEMENT THIS SUBPARAGRAPH.
18	(d) (1) Any local health department may set and collect a fee for processing
9	and issuing a death certificate that covers the administrative costs of providing this service.
. 0	and issuing a double service share services the damministrative sooks of providing this service.
20	(2) The fee set by the local health department for processing and issuing a
21	death certificate under this subsection may not exceed the actual costs to the local health
22	department for processing and issuing a death certificate.
23	(e) The Secretary shall include with every copy of a death certificate, in a form
24	prescribed and provided by the Insurance Commissioner, a notice which advises that
25	certain individuals may be entitled to continuation of group health insurance benefits
26	under § 15–407 of the Insurance Article.
27	(f) The Secretary shall include with every copy of a death certificate that is
28	completed by the Chief Medical Examiner a notice that advises a person in interest, as
29	defined in § 4–101(g) of the General Provisions Article, of the right to appeal a denial by
30	the Chief Medical Examiner of a request to correct findings and conclusions as to the cause
31	and manner of death recorded on a death certificate as provided under § 5–310(d) of this
32	article.

33 (g) A person may use a photocopy of a birth, death, fetal death, or marriage 34 certificate for any nonfraudulent and nondeceptive purpose.

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SECTION October 1, 2016.	2.	AND	BE	IT	FURTHER	ENACTED,	That	this	Act	shall	take	effect
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Approved:										01101111	0.14	
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							Presid					
Speaker of the House of Delegates.												