

TITLE 174 VITAL RECORDS

CHAPTER 9 ORIGINAL AND DELAYED BIRTH CERTIFICATES

9-001 SCOPE: These regulations apply to the registration of the birth of newborn infants (as provided in Neb. Rev. Stat. § 71-604), for those persons who were born in Nebraska but whose births were not registered pursuant to Neb. Rev. Stat. § 71-604 (as provided in Neb. Rev. Stat. §§ 71-617.01 to 71-617.15), and for amending such records (as provided in Neb. Rev. Stat. §§ 71-634 to 71-644).

9-002 DEFINITIONS

Certificate of Delayed Birth Registration Form means the standard form prescribed by the Department for registering births under the Delayed Birth Registration Act, a copy of which is attached to these regulations as Attachment A and incorporated by this reference.

Certificate of Live Birth Registration Form means the standard form prescribed by the Department for registering live births occurring in this state, a copy of which is attached to these regulations as Attachment B and incorporated by this reference.

Department means the Nebraska Department of Health and Human Services.

Director means the Director of the Division of Public Health of the Nebraska Department of Health and Human Services or his or her designee.

Petition For The Issuance Of A Certificate Of Delayed Birth Registration Form means the standard form for an action under Neb. Rev. Stat. § 71-617.08, a copy of which is Attachment C, incorporated in these regulations by this reference.

Order For The Issuance Of A Certificate Of Delayed Birth Registration Form means the standard form order for use by a court to issue findings or orders under Neb. Rev. Stat. § 71-617.11, a copy of which is Attachment D, incorporated in these regulations by this reference.

9-003 REQUIREMENTS FOR REGISTRATION OF LIVE BIRTH: Within five business days of a live birth that occurs in Nebraska, a Certificate of Live Birth Registration Form must be filed with the Department or, for a birth in Douglas or Lancaster County, with the appropriate county health department, which within ten business days of the birth must file such certificate with the Department.

9-003.01 The Department may refuse to accept for filing a Certificate of Live Birth Registration Form that is incomplete, unless such form is accompanied by a disclosure or a satisfactory accounting for any omission.

9-004 CERTIFICATES OF DELAYED BIRTH REGISTRATION: Any birth registered under the Delayed Birth Registration Act shall be registered on a Certificate of Delayed Birth Registration Form, after submission of an application and all statutorily-required information.

9-004.01 The Department in its discretion may, instead of immediately denying a deficient application for a Certificate of Delayed Birth Registration, allow the applicant an opportunity to cure the deficiency or deficiencies. The Department will dismiss any application that has not been cured within one year of filing with the Department.

9-004.02 If the application is dismissed, the application fee will be returned by the Department to the applicant.

9-005 APPEALS: Department actions taken under this Chapter and the related statutes may be appealed in accordance with the appropriate procedures prescribed in those statutes and by 184 NAC 1.