

511-1-3-.33**Disclosure of Records**

(1) The State Registrar, or his or her designee shall be authorized to issue certified copies of a birth certificate, only upon application of the following persons:

- (a) The registrant; or
- (b) Either parent of the registrant listed on the certificate; or
- (c) Registrant's legal guardian; or
- (d) Grandparent of the registrant; or
- (e) Adult brother/sister of the registrant; or
- (f) Adult child of the registrant; or
- (g) Spouse of the registrant; or
- (h) Their legal representative.

(2) A certified copy of a death or spontaneous fetal death certificate containing the cause of death information shall not be issued except as follows:

(a) Upon specific request of the spouse, children, parents, or other next of kin of the decedent or their respective legal representatives; or

(b) When need for disclosure of the cause of death is necessary to establish a legal right or claim has been demonstrated; or

(c) Upon receipt of an order from a court of competent jurisdiction ordering such release.

(3) A certified copy or abstract of a death certificate which does not contain the cause of death may be issued to any applicant upon proper application.

(4) The natural parents of adopted children, when neither has custody, and commercial firms or agencies requesting listings of names and addresses shall not be authorized access to information listed on birth records.

(5) Family members conducting genealogical research and genealogists representing a family member may obtain copies of records needed for their research. Appropriate written, notarized authorizations shall be required from the relevant family members for the release of the records.

(6) The State Registrar may permit the use of data from Vital Records for statistical or research purposes, subject to such conditions as the State Registrar may impose. No data shall be furnished from records for research purposes until the State Registrar has prepared, in writing, the conditions under which the records or data will be used and has received an agreement signed by a responsible agent of the research organization agreeing to meet with and conform to such conditions. In his or her discretion, the State Registrar may require the execution of a hold-harmless or indemnification agreement by the user, prior to use of the data.

(7) The State Registrar, or the local custodian, may disclose data from Vital Records to authorized representatives of Federal, State or County agencies of government which request such data in the conduct of their official duties.

(8) The State Registrar or local custodian shall not issue a certified copy of a record or parts thereof until a signed application, along with the appropriate fee, has been received from the

applicant. Whenever it shall be deemed necessary to establish an applicant's right to information from a vital record, the State Registrar or local custodian may also require identification of the applicant or a sworn statement and may conduct such investigation of such application as is deemed proper.

(9) Nothing in this Rule shall be construed to permit disclosure of information contained in the "Information for Medical and Health Use Only" section on the birth certificate, the spontaneous fetal death certificate or the "Information for Statistical Purpose Only" section of the certificate of marriage or report of divorce, dissolution of marriage or annulment unless specifically authorized by the State Registrar for statistical or research purposes or upon order of a court of competent jurisdiction.

(10) Where disclosure or inspection of Vital Records is required or authorized by court order, the minimum disclosure or inspection sufficient to comply with the expressed terms of the order will be allowed. Only the person or entity specifically identified in the order will be allowed access. Persons seeking access to Vital Records bear the burden of obtaining a court order which expressly describes the scope of access to a vital record.

Authority: O.C.G.A. Secs. 31-2A-6, 31-10-3, 31-10-26. **History:** Original Rule entitled "Disclosure of Records" adopted. F. Sep. 20, 2013; eff. Oct. 10, 2013.