

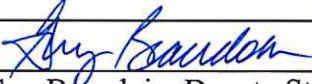


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<b>Policy Title:</b>	Use and Disclosure of Vital Records Information	
<b>Policy Number:</b>	VSS-1901	
<b>Effective Date:</b>	November 21, 2019	
<b>Revision Date:</b>		
<b>Approval:</b>	 Guy Beaudoin, Deputy State Registrar	<u>21 NOV 2019</u> Date

**Purpose:**

This policy identifies uses and disclosures of personally identifiable information (PII) from vital records information (VRI) that the Wyoming Department of Health (WDH) is required, prohibited, and permitted to make in accordance with state law and additional requirements for such uses and disclosures.

**Definition(s):**

*Immediate Family* means the mother, father, child or spouse of the deceased person.

*Inter-jurisdictional Exchange (IJE)* means a data sharing agreement between jurisdictions (states and territories). The IJE governs the sharing of resident data and outlines uses and disclosures by the jurisdictions.

*Minimum Necessary Standard* means Vital Statistics Services will limit the amount of vital records information used or disclosed to the information necessary to accomplish the intended purpose.

*Registrant* means the person to whom the certificate pertains.

**Policy:**

1. **Scope.**
  - a. This policy applies to the Office of Vital Statistics Services (VSS).
2. **Confidentiality.**
  - a. The VSS workforce and others who may have access to the records shall treat information obtained from VRI as confidential.

- b. Whenever deemed necessary to establish an individual's right to VRI, the State Registrar may require identification of the individual or a sworn statement of identity.
  - c. Birth records shall be confidential until 100 years have elapsed after the date of birth.
  - d. Death, marriage, and divorce records shall be confidential until 50 years have elapsed after the date of death, marriage, or divorce.
3. Inter-jurisdictional Exchange.
- a. VSS shall enter into an inter-jurisdictional exchange to establish privacy and security rules for the sharing of residential data in accordance with state law.
4. Required Uses and Disclosures.
- a. VSS shall disclose:
    - i. Necessary information from death records to the Secretary of State for the maintenance of the voter registration system.
      - A. The disclosure shall be conducted in accordance with the terms agreed upon by the two agencies.
    - ii. Information pursuant to an order of a court of competent jurisdiction.
5. Prohibited Uses and Disclosures.
- a. VSS shall not disclose:
    - i. VRI indicating a birth occurred out of wedlock without a court order.
    - ii. Information contained in the "Confidential Information for Medical and Health Use Only" section of birth certificate, unless specifically permitted by the State Registrar for statistical research.
    - iii. Information contained in the "Information for Statistical Purposes Only" section of marriage and divorce certificates unless specifically permitted by the State Registrar for statistical research.
6. Permissive Uses.
- a. VSS may disclose birth records to:
    - i. The registrant, if of legal age or an unemancipated minor as identified under W.S. §§ 14-1-102(a-d);
    - ii. Either parent named on the certificate;
    - iii. A lawyer representing either the registrant or the legal parent(s);
    - iv. A legal guardian upon presentation of a certified copy of the guardianship papers;
    - v. The judicial branch or a department of federal, state, or local government if needed in the performance of their duties. The State Registrar may require consent in the form of a signature from one of the above (i-iv); and
    - vi. Individuals or organizations, other than those listed above, when they demonstrate that the information is needed for the determination of a personal or property right.

- b. VSS may disclose death records to:
  - i. A member of the immediate family or party named on the certificate;
  - ii. A lawyer representing the immediate family;
  - iii. A bank, executor of the estate, insurance company, or anyone requiring a death certificate to pay a policy or death benefit on the decedent;
  - iv. A funeral home acting for the immediate family;
  - v. The judicial branch or a department of federal, state, or local government if needed in the performance of their duties. The State Registrar may require consent in the form of a signature from a member of the immediate family; and
  - vi. Individuals or organizations, other than those listed above, when they demonstrate that the information is needed for the determination of a personal or property right.
  
- c. VSS may disclose marriage records to:
  - i. Either party;
  - ii. A lawyer acting for either party;
  - iii. The judicial branch or a department of federal, state, or local government if needed in the performance of their duties. The State Registrar may require consent in the form of a signature from one of the above (i-ii); and
  - iv. Individuals or organizations, other than those listed above, when they demonstrate that the information is needed for the determination of a personal or property right.
  
- d. VSS may disclose divorce records to:
  - i. Either party;
  - ii. A lawyer acting for either party;
  - iii. The judicial branch or a department of federal, state, or local government if needed in the performance of their duties. The State Registrar may require consent in the form of a signature from one of the above (i-ii); and
  - iv. Individuals or organizations, other than those listed above, when they demonstrate that the information is needed for the determination of a personal or property right.
  
- e. VSS may disclose affidavits acknowledging or denying paternity to:
  - i. A signatory of the recorded acknowledgment or denial;
  - ii. The child support enforcement agency of any state;
  - iii. The judicial branch of the federal, state, or local government; and
  - iv. Individuals or organizations, other than those listed above, when they demonstrate that the information is needed for the determination of a personal or property right.
  
- f. VSS may:
  - i. Disclose VRI to federal, state, county or municipal government agencies to conduct their official duties.
  - ii. Permit the use of data from VRI for statistical research purposes.

- A. The individual or organization shall submit their request on the VSS External Data Request Form and agree to meet with and conform to conditions by entering into a Data Use Agreement with VSS.
- iii. Provide verification of dates and places of events contained in VRI to any individual or agency representing the interest of the registrant.
  - A. Verification requests shall be submitted in writing to the VSS.
  - B. VSS will make provide all verifications in writing.
  - C. Written verifications will be issued for genealogical research rather than certified copies of vital records.

**Review:**

Vital Statistics Services shall review this policy on an annual basis in consultation with the Office of Privacy, Security and Contracts (OPSC).

**Responsible Party:**

Vital Statistics Services and OPSC are responsible for the interpretation and administration of this policy. Questions about this policy should be submitted to the VSS at [wdh.vss@wyo.gov](mailto:wdh.vss@wyo.gov).

**Forms:**

No forms currently support this policy.

**References:**

1. W.S. §§ 35-1-401-431
2. W.S. §§ 14-1-102
3. Vital Records Services Administrative Rules, Chapter 1, 12 & 13
4. State and Territorial Exchange of Vital Events (STEVE) Agreement

**Training:**

The VSS workforce and OPSC will provide training to WDH workforce upon request or based on need identified by the OPSC staff.