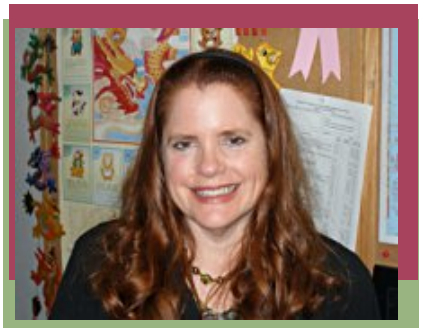

Kelly Paige
CHS Field Liaison

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Find out more about paternity on our website at: http://oregon.gov/DHS/ph/chs/change/paternityfaqs.shtml

DHS Oregon Department of Human Services

Matters of Record

News from the Center for Health Statistics concerning the Oregon Birth Certificate

Fall 2008

Establishing Paternity: What You Can Do To Help

The State Vital Records office needs your help to ensure that Acknowledgment of Paternity forms are correct and valid so that paternity can be established as soon after the birth as possible.

Why is it important to have valid Acknowledgment of Paternity (AOP) forms?

AOP forms are legal documents and must be accurately and fully completed to be considered legally binding. Hospital and birth centers can have parents complete the Voluntary of Acknowledgment of Paternity (45-31). When these forms are submitted with incorrect or missing information from the hospital, we don't register the birth record until a legal replacement AOP is received. Invalid AOP forms not only delay registration of birth certificates, but they also prevent the child from receiving a Social Security Card and the parents from purchasing a birth certificate.

What happens when there is an invalid AOP from the Hospital?

Often, parents and witnesses will complete the Voluntary Acknowledgment of Paternity Form (45-31), but make critical errors or omissions which make the form invalid. Sometimes, the birth certifier who is entering the data into the Electronic Birth Registration System will notice these errors. In this situation, there are several courses of action available:

1. If the mother has not yet been discharged from the hospital, and the baby is under 6 days old, the father may come back to the hospital and a new Voluntary Acknowledgment of Paternity (45-31) can be completed.
2. If the mother has already been discharged, but if the hospital has a notary on staff, the birth certifier may call the parents back to the hospital. At that time, a Voluntary Acknowledgment of Paternity ***Affidavit*** (45-21) may be signed and notarized and sent to the Center for Health Statistics. At this point, it is too late to submit the 45-31 form.

Paternity Information

What does it mean to establish paternity?
It means establishing legal fatherhood for a child whose parents are not married.

Once legal fatherhood is established, the name of the father and information about the father is entered on a child's birth certificate.

Why is it important to establish paternity?

- Every child needs the help and support of both parents and both parents have legal rights and responsibilities.
- Every person deserves and needs to know who their parents are.
- A child may need to trace special health problems or identify relatives with compatible blood or tissue types if a serious medical condition develops.
- A child may become eligible for benefits from both parents – Social Security, health and life insurance benefits, inheritance rights, veteran's and other benefits. Usually paternity must be established before a child can receive these benefits from a father.

3. The hospital may call the parents and ask them to contact the local County Health Department. If the County Health Department has a notary on staff, the Voluntary Acknowledgment of Paternity Affidavit (45-21) may be completed and submitted to the Center for Health Statistics. Most counties have a notary on staff, or can give parents guidance on how to have the form notarized. If the form is filed with the local County Health Department or the Center for Health Statistics within 14 days of the date of birth, no fee will be charged.

In any event, please go ahead and state that the Voluntary Acknowledgment of Paternity has been completed at the hospital (on the "Marital Status" screen in EBRS). Enter the information for the father, and send in the form, even if you know that it has errors. Enter a statement in the "Comment" section of the EBRS record stating that you are aware of problems with the form you are sending in. The Center for Health Statistics will then send a letter to the parents giving them an opportunity to fill out a new paternity form so that the father's name may remain on the record.

Parents will pay additional fees if we don't receive a replacement AOP by the deadline given to the parents in the correspondence. Once the deadline for receiving the replacement AOP is past, we remove the father from the birth certificate so that the birth certificate can be registered. Removing the father could potentially cause legal and financial difficulty for the family.

We understand that this is a complicated form and that human error happens. However, since this form cannot be altered or amended, please try to help the parents submit a new form if you notice problems with the first one!

How can the validity of AOP forms be improved?

Many mistakes made on AOP forms that make them invalid are easily avoidable. A review of records received by our office suggests that birth certificates and AOP forms are more accurate coming from facilities where the birth certifier interviews the mother directly and checks the accuracy of the form before the mother leaves the hospital. Helpful hints for providing accurate and valid forms are enclosed.

How often should completed AOP forms be sent to the State vital records office?

We recommend sending the forms to our office as soon as possible. Postage paid envelopes are available. The birth certificate must be completed in EBRS before the AOP can be sent to our office. Please remember that birth records must be completed in EBRS within 5 days after the birth.

We know that helping your patients to complete paternity forms is time-consuming and often complicated. Many hospital employees do an extraordinary job of explaining why establishing paternity is so important to the family; finding translators to assist patients for whom English is a second language; and giving patients information about how to establish paternity outside of the facility setting. Instructions for filling out paternity forms are available on our website at:
http://oregon.gov/DHS/ph/chs/registration/docs/45-31instr.pdf

Hospitals and birthing centers now have a new, online option for completing the AOP Form within EBRS. Instructions for completing the new electronic version of the AOP Form in EBRS are on the web at:
http://www.oregon.gov/DHS/ph/chs/registration/docs/aopoversinstrx.pdf

Since announcing the availability of the new, electronic version of the Acknowledgment of Paternity (AOP) form we have received several questions about the form.

1. Please be aware that when printing the electronic AOP form, the second page (Statement of Rights and Responsibilities) **must** be printed and provided to the parents. This statement must also be read to the parents before they sign the AOP form.

2. Several of you have noticed that the form is formatted as a legal size document (8½ x14) but defaults to print on (8½ x 11) paper. While we will accept the document as an 8½ x 11 copy, we prefer you to print the document on legal sized paper if you have the ability to do so.

3. Parties should sign the document in blue ink so originals can be clearly distinguished from copies.

4. Please send the following to the Center for Health Statistics: the original; a copy of the AOP form (we send the copy to the Division of Child Services); and a copy of the Statement of Rights and Responsibilities page so we can verify that it was available for the parents to read.

   Finally, in last year's newsletter concerning Paternity issues, we offered to provide you with a report concerning your facility's paternity statistics. We have finally produced those statistics, and would be happy to e-mail them to you! Please request your report be emailing Kelly Paige at:
   kelly.paige@state.or.us

Helpful Hints for Completing Voluntary Acknowledgment of Paternity (AOP) Forms

Many mistakes made on AOP forms are easily avoidable and can be eliminated by taking a few moments to check for accuracy and completeness before walking away from the mother's room. Following these helpful hints will reduce the number of invalid forms and help us process the forms.

- **Use the correct form**. Only 01/08 forms should be used. All AOP forms dated prior to 01/08 should be shredded. The old forms do not comply with new law and cannot be used as backups.
- **Ensure parents have listened to the Rights and Responsibilities.** Parents who are signing the Voluntary Acknowledgment of Paternity [45-31 (01/08)] form must *listen* to the Rights and Responsibilities found on the back of the form.
- **Ensure parents meet all criteria.** Parents must meet all criteria specified at the top of the form.
- **Check names on the AOP and make sure they match the names on the birth record.** The child's, mother's and father's names on the AOP form must exactly match the names on the birth record.
- **Check for alterations.** Do not change or alter information on forms. Crossing out information and writing in different information alters the form, making it invalid. Please remember this is a legal form and it cannot be altered. Remind parents that the forms must be completed again if they make mistakes.
- **Handwrite names and dates in acknowledge sections**. Parents must print their own names, sign their own names, and enter the date in their own handwriting in the acknowledgment section of the forms. Signatures and dates should never be typed.
- **Match signature and witness dates**. The hospital witness date may be different for the mother and the father but the "Date signed" and "Date witnessed" must be the same for the Mother and her witness, and the same for the Father and his witness.
- **Handwrite names and dates in witness sections**. Hospital witnesses must sign and print their own names, and enter the date witnesses in their own handwriting. Signatures and dates should never be typed.
- **Send the form.** You are required to send the AOP form within 14 days, but please send completed paternity forms to the Vital Records office as soon as you can. The sooner we get the form, the faster we are able to register the birth record. Postage-paid envelopes are available.

Let CHS pay the postage

At the end of last year, we sent your facility a small supply of printed, postage-paid envelopes to use when sending Voluntary Acknowledgment of Paternity forms to the State office. We've noticed that many of you are now sending in the forms in your own envelopes, and we want to encourage you to order more of our envelopes, using the order form that is on our website:
http://www.oregon.gov/DHS/ph/chs/registration/docs/45-43.pdf

You can print this form, fill it out, and fax it in.

"Junior".....It's Not Just for Boys Anymore

In both the Electronic Birth Registration System and paper versions of the birth certificate, you have probably noticed the field labeled "Suffix". Traditionally, this space was used to indicate that a boy was being named after his father (hence, "Junior" or "Jr." was added to the name): or that he was yet another in a long line of males with the same name, and a roman numeral was bestowed (e.g., Donald Trump "III").

However, our office recently received a call from a hospital asking if a baby girl could be named Junior after her mother...and our answer was, "Of course!" In Oregon, a baby can be named anything that we can manage to type into the name fields in EBRS.

Every member of the family can have a different last name. First and middle names can be initials. Babies can be blessed with multiple middle names. Each name field in EBRS contains room for 50 letters, so names may be extraordinarily long!

Social Security Numbers and Baby Names

Our office sends a file daily to Social Security from EBRS for all birth records registered the previous day. Once SSA gets the file and the information on the records meets specific criteria, an SSN is assigned and a card is sent to the parents. Parents should receive SSN cards within 4-6 weeks after the birth. However, there are a few reasons why an SSN would not be automatically assigned.

First, a Social Security number can't be requested for a baby that does not have a first and a last name. If the parents are hesitant about assigning a first name, please do not enter "unknown" or "Baby Girl" as a first name on EBRS. "Unknown" will become the legal first name for the child and a SSN will be assigned under that name. Leave the first name blank in EBRS. A Social Security Number will not be assigned even if you indicate on EBRS that the parents requested a SSN. Tell parents that once they have determined a full legal name, they need to contact our office to add the baby's name to

the birth certificate. They can then use the amended birth certificate to request an SSN directly from the Social Security Administration.

Another problem we've found is that the Social Security computer rejects transmissions of names and addresses with any punctuation, accents, or special characters. We've had to "scrub" our requests for Social Security cards to eliminate these items. We believe we've been able to resubmit all of the files that went haywire, but if parents call you with questions, please direct them to Darcy Niemeyer in our Registration Unit. Her telephone number is (971) 673-1160 and her e-mail address is: darcy.niemeyer@state.or.us.

Remember, parents must pay $30 to change a name, but they may add a first or middle name without paying a fee (for the amendment) up to a year after the date of birth. However, the first copy of a new birth certificate will always cost $20.

News Flash

New Release of EBRS will be implemented on October 4, 2008. This release includes a Fetal Death module. Keep your eyes open for instructions on how to use the new module. We will be sending out information via email and hard copy.

The new version of EBRS will also have a section for adding a second parent in the system for couples who have an Oregon Registered Domestic Partnership. Instructions will be sent to you soon.

We want to make sure you get all the information we send, so please send in the contact form that is enclosed if you haven't already.

It's the Law!

Sometimes, parents question why certain information is requested, or why it is even necessary to file a birth certificate at all. Here are citations for some of those tough questions:

1. Oregon law requires the filing of a birth certificate for every child born in the state, within 5 days from the date of birth. [Oregon Revised Statutes 432.206(1)]
2. Federal law requires that states gather the Social Security numbers of parents when a child is born. This information can ONLY be used by the State to collect child support.
   [Code of Federal Regulations 42 USC 405(c)(2)(C)(ii)].

3. Under federal "Safe Haven" guidelines, Oregon law allows a person to leave a baby (up to 30 days old) with an employee at any medical facility or police department in Oregon, with no questions asked. [Oregon Revised Statutes 418.017].

4. A married woman may refuse to list her husband as the father of her baby, but she cannot list another man. [Oregon Revised Statutes 432.285]. If the husband seeks to have his name added to the birth certificate over the wishes of the mother, a court order is required. Similarly, if the mother is married, but the biological father of the child is not her husband, the parents may go to court to establish paternity through a filiation proceeding.

5. If the biological father of the child is not named as the "Father" in Field 7 of the birth certificate, his relationship to the child cannot be listed as "father" in the "Informant" Field 9 or as "father" in the "Attendant Title" in Field 10b. [Oregon Revised Statutes 432.206(9)]

6. Worksheets or "Working Copies" of the birth certificate or copies of the Voluntary Acknowledgment of Paternity must never be filed in the patient's medical record. [Oregon Revised Statutes 432.121(6)] They should be maintained in a separate file for one year. However, the form asking that a Social Security Number be requested for the child may be placed in the medical record.

7. Finally, if parents present a court order at the hospital or birthing facility that pertains to paternity or adoption or any other legal proceeding, please do not act on that document. The parents should deal directly with the State of Oregon Center for Health Statistics to amend the birth certificate appropriately.

Have you Filed a Contact Information Form Yet?

In an effort for us to better communicate with you, we sent all hospital birthing centers a **Hospital Birth Certifier Contact Information form** to be completed with your contact information. This form needs to be completed by each person who certifies birth certificates in your facility.

With this contact information we are able to know what days and hours we are able to contact you if we have questions regarding a birth certificate you submitted. Also, if a birth certifier is on vacation or out of the office for an extended period of time, having a backup certifier's name and number allows us to resolve our questions regarding birth certificates more quickly.

Families are waiting for birth certificates to be processed for social security cards, paternities, and child welfare benefits. These are held up if the certificates are not processed and registered in a timely manner.

We received a great response to our contact information request. I know you are all very busy, but, if you have not yet completed your contact information sheet, we are providing you with a form to complete and forward to our office. You can fax the enclosed form to our office at (971) 673-1201.

We appreciate all of your help. This benefits our clients by simplifying the process to register their child's birth.

OVERS Changes Ahead

Now that the birth module of OVERS has been rolled out and is fully operational, the OVERS team is shifting into maintenance mode. Starting October 1, 2008 three of our limited duration positions are scheduled to end as we enter into a less resource- intensive phase of the project.

Larry Kruggel (Medical Certifier recruitment and training), Sandy Elledge (Logistics and Help Desk coordination), and Robb Keller (Software development) will be leaving the project. These 3 staff members have made significant contributions to the success of the OVERS rollout and we wish them well in their future endeavors.

Although the project team will be smaller, our users will continue to receive necessary support. We are actively planning for a smooth transition but you may notice a few minor differences.

- We will continue to provide support for existing users but no longer actively recruit new users
- Classroom training will be replaced by on-line training in the form of live webinars and web tutorials.
- Help Desk resources will be available at a level that corresponds with the steady decline in the number of help desk calls. The Help Desk hours of operation will remain the same (Monday - Friday, 8 am – 5 pm).

Training is just a click away!

We now provide live training webinars on a monthly basis. These demonstrations are designed as introductory courses for first-time users of the system or for users who need a refresher on the basics.

To view the monthly schedule, visit the OVERS project website at: http://www.oregon.gov/DHS/ph/overs/training.shtml. There you will also find additional resources such as User Guides and self-paced tutorials.

If you have several users and would like to request training tailored to the needs of your facility contact Kerry Lionadh, the OVERS Training Coordinator, at 971-673-1197 or by email at kerry.l.lionadh@state.or.us

Q & A: Marriage and Gender Issues

Q: If the father of the baby dies before the baby is born, can we put his name and information on the birth certificate?

A: Yes, but only if the parents were legally married at the time of death. If the parents were not legally married, and the father wanted his name on the birth certificate (and was planning on signing the Voluntary Acknowledgment of Paternity at the time of birth) the mother may go to the Circuit Court of Oregon to have the father's name added posthumously to the birth certificate. Call Tony Bojanowski at (971) 673-1143 for more information.

Q: If parents say they have had a church or religious marriage, but do not have a marriage license, what is their martial status?

A: On the birth certificate, marital status can only be answered "Yes" if the parents have filed a marriage license with a government entity (e.g., with a County or State or in another country). We do not require parents to produce this document, but they cannot be considered "married" without it.

Q: If parents say they have a "common law" marriage, what does that mean?

A: Oregon does not establish common-law marriage, but does recognize common-law marriages that have been legally established in other states. In these cases, the parents could state that they are married on the birth certificate.

Q: What about same-sex couples who have legally married in Massachusetts, California, or Canada?

A: According to the Oregon Constitution, marriage is only allowed between a man and a woman. A birth mother may only say she is "married" on the birth certificate if she is married to a man.

Q: Are domestic partners married?

A: No, not in Oregon. However, the Center for Health Statistics began accepting registrations for Domestic Partnership in February of 2008.

Please go to our website for more information:
http://www.oregon.gov/DHS/ph/chs/order/docs/dpfaqnewfinal3.pdf

Read the "Fast Facts- For female Oregon Registered Domestic Partners who are registering the birth of a child" article on page 11.

The Importance of Reporting Hepatitis B Information

To ensure that newborn infants are protected from hepatitis B infection (HBV), a major cause of cirrhosis and liver cancer in the United States, the Advisory Committee on Immunization Practices recommends that vaccination of infants against HBV begin at birth.

The HBsAg screening, HBV birth dose, and HBIG information entered by the birthing hospitals in the Immunization tab of the EBRS is very important information. This information is used to verify that appropriate case management of infants born to HBV infected mothers is done by local health departments.

The Oregon Immunization Program would like to thank you for the great work you do entering the immunization information. If you have questions about data entry, please contact Kelly Paige, Vital Records Field Liaison, at (971) 673-1166. If you would like more information about perinatal hepatitis B, please contact Maureen Cassidy at maureen.p.cassidy@state.or.us

Street Number Field in EBRS

The first field in the Mother's "Mailing Address" section is no longer a mandatory field. This means that, if the mother's mailing address is a post office box, you will no longer get an error message stating that a street number is required when you validate the registration.

However, the street number field is still required for Mother's "Residence Address", since a physical address is required in this section, and you will get an error message if you leave it blank [BR0272: A valid street number for the mother's residence address is required].

Previously, the fact that a Mother had a PO Box as a mailing address prevented records from registering without State review. Making this change allows a birth record to register instantly if there are no other entries requiring State approval.

Fast Facts: For female Oregon Registered Domestic Partners who are registering the birth of a child

Q: What does the law say about registering a child born to Oregon Registered Domestic Partners?
A: Oregon's Family Fairness Act (OFFA) ensures that female same-sex couples who are Oregon Registered Domestic partners can be listed as the parents of children born to the partnership after the registration.

Q: What's new?
A: The Oregon EBRS has been modified to record births for parents who are Registered Domestic Partners in Oregon. The system will now automatically register a Parent/Parent birth certificate that will list both parents. The change takes effect October 4, 2008.

Q: How will the new process work?
A: The Oregon Department of Human Services will list both the birth mother and the second parent on the birth certificates for female same-sex parents who have their baby after becoming Registered Domestic Partners in Oregon. Birth certificate clerks will enter both parents' information when completing the birth certificate forms. No additional forms will need to be completed at the hospital.

Q: How do Oregon Registered Domestic Partners get copies of their child's official birth certificate?
A: Parents can purchase certified copies of the Parent/Parent certificates once the certificates are registered with the State Vital Records office. Birth certificates also can be purchased from county vital records in the county of birth for six months after the birth.

Q: How do parents get more information?
A: Information on ordering from the State Vital Records office can be found at http://oregon.gov/DHS/ph/chs/order/index.shtml.

DHS believes all parents should be treated equally and with respect. Anyone with questions or concerns about this process may call 971-673-1185.

Important CHS Contact Information

Paternities
Debbie Gott
(971) 673-1155

Filiations
Tony Bojanowski
(971) 673-1143

Adoptions
Debbie Draghia
(971) 673-1152

OVERS Helpdesk
(971) 673-0279

Delayed Filings
Becki Buskirk
(971) 673-1147

Birth Corrections
<1 year, Gisela Badillo
(971) 673-1169
1 + years, Amanda Vega
(971) 673-1137

State Registrar
Jennifer Woodward
(971) 673-1185

Amendments/Certification Manager
Carol Sanders
(971) 673-1178

Data Processing Supervisor
Cynthia Roeser
(971) 673-0478

Registration Manager
Darcy Niemeyer
(971) 673-1160

Statistics Manager
Joyce Grant-Worley
(971) 673-1156

Paternity Information on the Web at:
http://oregon.gov/DHS/ph/chs/change/paternityfaqs.shtml

Center for Health Statistics at:
http://www.oregon.gov/DHS/ph/chs/index.shtml

OVERS Information on the Web at:
http://www.oregon.gov/DHS/ph/overs/

Hospital Birth Certifier Contact Information

The Center for Health Statistics, Vital Records office will be updating our database to serve you better. Please complete the information below, and fax this information to us at (971) 673-1201 or e-mail to Lynda.L.Jackson@state.or.us

This form needs to be completed by each person who certifies birth certificates in your facility.

Thank you for helping us by keeping our contact information updated.

Hospital Name:_____

The department you work in:_____

Birth Certifier Name:_____

Your Telephone #:_____

Your Fax #_____

Your e-mail Address:_____

What days of the week do you work?_____

What hours do you work?_____

Who should we contact if we need information about a birth certificate you certified and you are not available?

Name:_____ Telephone #_____

E-Mail Address _____

Department of Human Services
Center for Health Statistics
PO Box 14050
Portland, OR 97293-0050