

**FORTY-SEVENTH LEGISLATURE
FIRST SESSION, 2005**

February 10, 2005

Mr. Speaker:

Your **CONSUMER AND PUBLIC AFFAIRS COMMITTEE**, to whom has been referred

HOUSE BILL 363

has had it under consideration and reports same with recommendation that it **DO PASS**, amended as follows:

1. On page 1, line 15, strike "This" and insert in lieu thereof "Sections 1 through 4 of this".

2. On page 2, line 18, after "except" insert "as provided in Subsection D of this section or Section 4 of the Social Security Number Confidentiality Act or".

3. On page 3, line 15, strike "or".

4. On page 3, line 17, strike the period and insert in lieu thereof a semicolon and "or".

5. On page 3, between lines 17 and 18, insert the following new paragraph:

"(4) is used on a death certificate."

6. On page 3, line 19, insert a period after "verification".

7. On page 3, strike line 20 in its entirety.

8. On page 3, between lines 20 and 21, insert the following new section:

"Section 4. Section 24-14-27 NMSA 1978 (being Laws 1961, Chapter 44, Section 25, as amended) is amended to read:

"24-14-27. DISCLOSURE OF RECORDS.--

A. It is unlawful for any person to permit inspection of or to disclose information contained in vital records or to copy or issue a copy of all or part of any record except as authorized by law.

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B. The department shall provide access to record level data required by the New Mexico health policy commission and the health information system created in the Health Information System Act. The New Mexico health policy commission and the health information system may only release record level data obtained from vital records in the aggregate. For the purposes of this subsection, "record level data" means one or more unique and non-aggregated data elements relating to a single identifiable individual. The department may authorize the disclosure of data contained in vital records for other research purposes.

C. When one hundred years have elapsed after the date of birth or fifty years have elapsed after the date of death, the vital records of these events in the custody of the state registrar shall become open public records, and information shall be made available in accordance with regulations that provide for the continued safekeeping of the records; provided that vital records of birth shall not become open public records prior to the individual's death and the social security number on the death certificate shall not become an open public record."

6. Renumber the succeeding sections accordingly.,

and thence referred to the **JUDICIARY COMMITTEE.**

Respectfully submitted,

Gail C. Beam, Chairwoman

Adopted _____
(Chief Clerk)

Not Adopted _____
(Chief Clerk)

Date _____

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The roll call vote was 6 For 0 Against

Yes: 6

No: 0

Excused: Hamilton

Absent: None

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