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SENATE BILL 469

50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011

INTRODUCED BY

William E. Sharer

AN ACT

RELATING TO VITAL STATISTICS; REQUIRING THE DEPARTMENT OF
HEALTH TO PREPARE PUBLIC DEATH CERTIFICATES THAT MAY BE
RELEASED TO AND COPIED BY THE PUBLIC.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. 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.

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

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1 Information System Act. The New Mexico health policy
2 commission and the health information system may only release
3 record level data obtained from vital records in the aggregate.
4 For the purposes of this subsection, "record level data" means
5 one or more unique and non-aggregated data elements relating to
6 a single identifiable individual. The department may authorize
7 the disclosure of data contained in vital records for other
8 research purposes.

9 C. When one hundred years have elapsed after the
10 date of birth or fifty years have elapsed after the date of
11 death, the vital records of these events in the custody of the
12 state registrar shall become open public records, and
13 information shall be made available in accordance with
14 regulations that provide for the continued safekeeping of the
15 records; provided that vital records of birth shall not become
16 open public records prior to the individual's death.

17 D. In addition to the death certificate containing
18 detailed medical and demographic information protected pursuant
19 to Subsection A of this section, the department shall create
20 and make available a public death certificate that may be
21 disclosed, inspected and copied and that shall provide
22 nonconfidential information, including:

- 23 (1) the decedent's legal name;
24 (2) the decedent's date of death;
25 (3) the county in which the decedent died;

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- (4) the decedent's year of birth;
- (5) the last four digits of the decedent's
social security number;
- (6) the decedent's gender;
- (7) the decedent's marital status and, if
applicable, the surviving spouse's name;
- (8) the decedent's maiden name, if any; and
- (9) the death certificate state file number."

SECTION 2. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2011.