

Byron Mallott  
Lieutenant Governor  
State Capitol  
Juneau, Alaska 99811  
907.465.3520  
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Anchorage, Alaska 99501  
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**OFFICE OF THE LIEUTENANT GOVERNOR  
ALASKA**

**MEMORANDUM**

**TO:** Triptaa Surve  
Department of Health and Social Services

**FROM:** Scott Meriwether, Office of the Lieutenant Governor   
465.4081

**DATE:** August 1, 2018

**RE:** Filed Permanent Regulations: Department of Health and Social Services  
  
Department of Health and Social Services Regulation re: 7 AAC 05.940: Public Health:  
Short-Form Certificate (7 AAC 0.940)

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Attorney General File:	2017200793
Regulation Filed:	7/31/2018
Effective Date:	8/30/2018
Print:	227, October 2018

cc with enclosures: Linda Miller, Department of Law  
Judy Herndon, LexisNexis

ORDER ADOPTING CHANGES TO REGULATIONS  
OF DEPARTMENT OF HEALTH & SOCIAL SERVICES

The attached one page of regulations, dealing with Vital Records, Short-Form Certificate, is adopted and certified to be a correct copy of the regulation changes that the Department of Health & Social Services adopts under the authority of AS 18.50.310, AS 18.50.320, and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

Although no public comments were received, the Department of Health & Social Services paid special attention to the cost to private persons of the regulatory action being taken.

The regulation changes adopted under this order take effect [on the 30th day after they have been filed by the lieutenant governor as provided in AS 44.62.180.

Date: May 14, 2018

  
\_\_\_\_\_  
Jon Sherwood, Deputy Commissioner  
Department of Health & Social Services

FILING CERTIFICATION

I, Byron Mallott, Lieutenant Governor for the State of Alaska, certify that<sup>1</sup> on July 31,  
2018, at 3:00 p.m., I filed the attached regulations according to the provisions of AS 44.62.040 -  
44.62.120.

  
\_\_\_\_\_  
Lieutenant Governor

Effective: August 30, 2018

Register: 227, October 2018

7 AAC 05.940. ~~Short form certificate~~ is amended to read:

The <sup>S</sup>State <sup>R</sup>Registrar may provide for a short-form certification for <sup>any</sup>all vital events included in

this chapter [BIRTHS WHICH DOES NOT SHOW PARENTAGE]. <sup>(A)</sup>When ~~such~~ short form <sup>certification may be</sup> is

used <sup>generally</sup> for all births, ~~it may also be used~~ <sup>for</sup> births which do not show parentage and

certification of illegitimate births in accordance with instructions of the <sup>S</sup>State <sup>R</sup>Registrar; provided that

no identification of <sup>the</sup> ~~such~~ illegitimacy is made on <sup>the</sup> ~~such~~ certification. <sup>(A)</sup> ~~Such~~ short-form certification

may be used for this purpose by the bureau, and by <sup>(a)</sup> ~~such~~ local recorders of vital records

specifically authorized to do so by the <sup>S</sup>State <sup>R</sup>Registrar.

(In effect before 7/28/59; am 7/25/60, Register 2; am 8/30/2018, Register 227)

Authority: AS 18.50.310

AS 18.50.320

# MEMORANDUM

## State of Alaska Department of Law

**To:** The Honorable Byron Mallott  
Lieutenant Governor

**Date:** July 31, 2018

**File No.:** 2017200793

**Tel. No.:** 465-3600

**From:** Susan R. Pollard *SRP*  
Chief Assistant Attorney General  
and Regulations Attorney  
Legislation and Regulations Section

**Re:** Department of Health and Social  
Services Regulation re: 7 AAC  
05.940: Public Health: Short-Form  
Certificate

The Department of Law has reviewed the attached regulations of the Department of Health and Social Services against the statutory standards of the Administrative Procedure Act. Based upon our review, we find no legal problems. This memorandum constitutes the written statement of approval under AS 44.62.060(b) and (c) that authorizes your office to file the attached regulations. The regulations were adopted by the Department after the close of the public comment period. The regulations concern short-form certification of vital events, such as birth and death.

The February 20, 2018 public notice and the May 14, 2018 adoption order both state that this action is not expected to require an increased appropriation. Therefore, a fiscal note under AS 44.62.195 is not required.

We have made some technical corrections to conform the regulations in accordance with AS 44.62.125. The corrections are shown on the attached copy of the regulations.

SRP

cc: w/encl.

Honorable Valerie Davidson, Commissioner  
Department of Health and Social Services

John Sherwood, Deputy Commissioner  
Department of Health and Social Services

Triptaa Surve, Regulations Contact  
Department of Health and Social Services

Rebecca Topol, Research Analyst IV  
Department of Health and Social Services

Kelly Henriksen, Assistant Attorney General  
Human Services Section



NOTICE OF PROPOSED CHANGES ON SHORT-FORM CERTIFICATES IN THE REGULATIONS OF  
THE DEPARTMENT OF HEALTH & SOCIAL SERVICES.

BRIEF DESCRIPTION

The Department of Health & Social Services proposes to change regulations on short-form death, divorce, and marriage certificates.

The Department of Health and Social Services proposes to adopt regulation changes in Title 7 of the Alaska Administrative Code, dealing with short-form certificates, including the following:

- 7 AAC 05.940. Short-form certificate is proposed to be changed as follows: Provide short-form certificates for other vital events, including death, divorce, and marriage.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Rebecca Topol, Research Analyst IV at Alaska Division of Public Health, Health Analytics and Vital Records Section, P.O. Box 110675, Juneau, AK 99811-0675. Additionally, the Department of Health & Social Services will accept comments by facsimile at (907) 465- 3618 and by electronic mail at [rebecca.topol@alaska.gov](mailto:rebecca.topol@alaska.gov). The comments must be received not later than 5 p.m. on April 6, 2018.

You may submit written questions relevant to the proposed action to Rebecca Topol, by e-mail at [rebecca.topol@alaska.gov](mailto:rebecca.topol@alaska.gov) or at the Department of Health & Social Services, Division of Public Health, Health Analytics & Vital Records Section, 5441 Commercial Blvd., Juneau, AK 99801. The questions must be received at least 10 days before the end of the public comment period. The Department of Health & Social Services will aggregate its response to substantially similar questions and make the questions and responses available on the Alaska Online Public Notice System.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Rebecca Topol at [rebecca.topol@alaska.gov](mailto:rebecca.topol@alaska.gov) or at (907) 465-8604 not later than March 27, 2018, to ensure that any necessary accommodations can be provided.

A copy of the proposed regulation changes is available on the Alaska Online Public Notice System and by contacting Rebecca Topol by e-mail at [rebecca.topol@alaska.gov](mailto:rebecca.topol@alaska.gov) or by telephone at (907) 465-8604.

After the public comment period ends, the Department of Health & Social Services will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulation may be different from that of the proposed regulation. **You should comment during the time allowed if your interests could be affected.**

**Statutory authority:** AS 18.50.310; AS 18.50.320.

**Statutes being implemented, interpreted, or made specific:** AS 18.50.310; AS 18.50.320.

**Fiscal information:** The proposed regulation changes are not expected to require an increased appropriation.

DATE: 2-20-18

  
Jon Sherwood  
Deputy Commissioner  
Department of Health & Social Services

NOTICE OF PROPOSED CHANGES ON SHORT-FORM CERTIFICATES IN THE REGULATIONS OF  
THE DEPARTMENT OF HEALTH & SOCIAL SERVICES.

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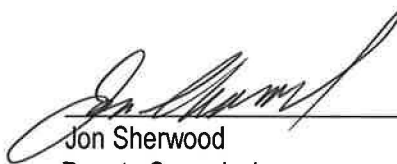
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**Fiscal information:** The proposed regulation changes are not expected to require an increased appropriation.

DATE: 2-20-18

  
Jon Sherwood  
Deputy Commissioner  
Department of Health & Social Services

ADDITIONAL REGULATION NOTICE INFORMATION  
(AS 44.62.190(d))<sup>1</sup>

1. Adopting agency: Department of Health & Social Services
2. General subject of regulation: Short form death, marriage and divorce certificates
3. Citation of regulation (may be grouped): 7 AAC 05.940
4. Department of Law file number, if any: 2017200793
5. Reason for the proposed action:  
☐ Compliance with federal law or action (identify): \_\_\_\_\_  
☐ Compliance with new or changed state statute  
☐ Compliance with federal or state court decision (identify): \_\_\_\_\_  
☐ Development of program standards  
☒ Other (identify): To create short form certificates for vital events (death, marriage, divorce).
6. Appropriation/Allocation: N/A
7. Estimated annual cost to comply with the proposed action to:  
A private person: \$0  
Another state agency: \$0  
A municipality: \$0
8. Cost of implementation to the state agency and available funding (in thousands of dollars): None.

	Initial Year FY _____	Subsequent Years
Operating Cost	\$ _____	\$ _____
Capital Cost	\$ _____	\$ _____
1002 Federal receipts	\$ _____	\$ _____
1003 General fund match	\$ _____	\$ _____
1004 General fund	\$ _____	\$ _____
1005 General fund/ program	\$ _____	\$ _____
Other (identify)	\$ _____	\$ _____

9. The name of the contact person for the regulation:  
Name: Rebecca Topol  
Title: Research Analyst IV  
Address: 5441 Commerical Blvd, Juneau, AK 99801  
Telephone: (907) 465-8604  
E-mail address: rebecca.topol@alaska.gov



10. The origin of the proposed action:  
\_\_X\_\_ Staff of state agency  
\_\_\_\_\_ Federal government  
\_\_\_\_\_ General public  
\_\_\_\_\_ Petition for regulation change  
\_\_\_\_\_ Other (identify): \_\_\_\_\_

11. Date: 2-15-18 Prepared by: Rebecca Topol  
[signature]  
Name (printed): Rebecca Topol  
Title (printed): Research Analyst IV  
Telephone: (907) 465-8604

AFFIDAVIT OF NOTICE OF PROPOSED REGULATION  
AND FURNISHING OF ADDITIONAL INFORMATION

I, Triptaa Surve, Project Coordinator, of the Department of Health & Social Services, being sworn, state the following:

As required by AS 44.62.190, notice of the proposed adoption of changes to the Vital Records, Short-Form Certificate (7 AAC 05.940), has been given by being

- (1) published in a newspaper or trade publication;
- (2) furnished to interested persons;
- (3) furnished to appropriate state officials;
- (4) furnished to the Department of Law, along with a copy of the proposed regulation;
- (5) furnished electronically to incumbent State of Alaska legislators;
- (6) furnished to the Legislative Affairs Agency, Division of Legal and Research Services;
- (7) posted on the Alaska Online Public Notice System as required by AS 44.62.175(a)(1) and (b) and 44.62.190(a)(1);
- (8) furnished electronically, along with a copy of the proposed regulation, to the Legislative Affairs Agency, the chair of the Health & Social Services and Finance Committees of the Alaska Senate and House of Representatives, the Administrative Regulation Review Committee, and the legislative council.

As required by AS 44.62.190, additional regulation notice information regarding the proposed adoption of the regulation changes described above has been furnished to interested persons and those in (5) and (6) of the list above. The additional regulation notice information also has been posted on the Alaska Online Public Notice System.

Date: May 23, 2018 <sup>4</sup>



\_\_\_\_\_  
Triptaa Surve, Project Coordinator

Subscribed and sworn to before me at Anchorage, AK on 5/23/18  
(date)



\_\_\_\_\_  
Notary Public in and for the State of Alaska

AFFIDAVIT OF AGENCY RECORD OF PUBLIC COMMENT

I, Rebecca Topol, Research Analyst IV for the Department of Health and Social Services, being duly sworn, state the following:

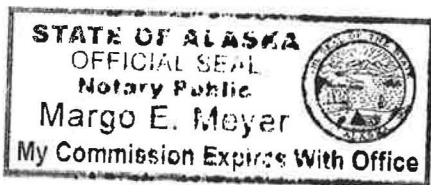
The Department of Health and Social Services did not receive any factual or other substantive information that was submitted in writing as public comment and that was relevant to the accuracy, coverage, or other aspect of the Department of Health and Social Services regulation on Vital Records, Short-Form Certificate.

Date: 4/24/2018

Rebecca Topol  
Rebecca Topol, Research Analyst IV

Subscribed and sworn to before me at Juneau, AK  
on 4/24/2018  
(date)

Margo E. Meyer  
Notary Public in and for the State of Alaska



[NOTARY SEAL]



270229  
0001417164  
\$278.90

# AFFIDAVIT OF PUBLICATION

STATE OF ALASKA  
THIRD JUDICIAL DISTRICT

Joleesa Stepetin  
being first duly sworn on oath deposes and  
says that he/she is a representative of the  
Anchorage Daily News, a daily newspaper.  
That said newspaper has been approved  
by the Third Judicial Court, Anchorage,  
Alaska, and it now and has been published  
in the English language continually as a  
daily newspaper in Anchorage, Alaska, and  
it is now and during all said time was  
printed in an office maintained at the  
aforesaid place of publication of said  
newspaper. That the annexed is a copy of  
an advertisement as it was published in  
regular issues (and not in supplemental  
form) of said newspaper on

February 22, 2018

and that such newspaper was regularly  
distributed to its subscribers during all of  
said period. That the full amount of the fee  
charged for the foregoing publication is not  
in excess of the rate charged private  
individuals.

Signed

*Joleesa Stepetin*

Subscribed and sworn to before me  
this 22nd day of February, 2018

*Britney Thompson*

Notary Public in and for  
The State of Alaska.  
Third Division  
Anchorage, Alaska  
MY COMMISSION EXPIRES

*2/23/2019*

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You may submit written questions relevant to the proposed action to Rebecca Topol, by e-mail at rebecca.topol@alaska.gov or at the Department of Health & Social Services, Division of Public Health, Health Analytics & Vital Records Section, 5441 Commercial Blvd., Juneau, AK 99801. The questions must be received at least 10 days before the end of the public comment period. The Department of Health & Social Services will aggregate its response to substantially similar questions and make the questions and responses available on the Alaska Online Public Notice System.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Rebecca Topol at rebecca.topol@alaska.gov or at (907) 465-8604 not later than April 2, 2018, to ensure that any necessary accommodations can be provided.

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**Statutory authority:** AS 18.50.310; AS 18.50.320.

**Statutes being implemented, interpreted, or made specific:** AS 18.50.310; AS 18.50.320.

**Fiscal Information:** The proposed regulation changes are not expected to require an increased appropriation.

DATE: February 20, 2018.  
/s/ Jon Sherwood  
Deputy Commissioner  
Department of Health & Social Services

Published: February 22, 2018

Notary Public  
BRITNEY L. THOMPSON  
State of Alaska  
My Commission Expires Feb 23, 2019