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Subject: [EXTERNAL] Concern on Proposed NMAC 7.2.2
Date: Tuesday, August 30, 2022 8:46:28 AM

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Hi Sheila,

My name is Chris Doughty and I am a Government Affairs Manager for Service Corporation International, a company that owns and operates funeral homes, cemeteries in crematories in 45 states. Within New Mexico, we currently operate 1 cremation facility and the below regulation, from the Department of Health, has come to our attention.

The main issue, as we see it, is under Section 7.2.2.17 (D) (4) – Amendment of Live Birth and Death Certificates, would, if adopted, require us to get a court order to remove a name from a vital record. We see this potential change as being harmful to funeral directors and grieving families alike. People make mistakes and often name changes need to take place and it would cost the family and/or the funeral director both their time and money to go and get a court order for such a change.

We ask that you please remove proposed Section 7.2.2.17 (D) (4) (Highlighted below) so that we can continue to serve our families without the added difficulties of involving a court when making changes to a name on a vital record.

TITLE 7 HEALTH

Chapter 2 Vital Statistics

7.2.2.3 - Statutory Authority:

The regulations set forth herein are promulgated by the secretary of the department of health by the authority of Subsection F of [Section 9-7-6 NMSA 1978](#) and implement the Vital Statistics Act, [Sections 24-14-1 to 24-14-31 NMSA 1978](#), as amended. These regulations also implement certain sections of the Uniform Parentage Act, 40-11-1 et seq., [NMSA 1978](#) at [Sections 40-11-5](#) and [40-11-6 NMSA 1978](#). [These regulations also implement reporting for medical aid in dying, Section 24-1-43 NMSA 1978.](#)

7.2.2.7 - Definitions:

As used in these regulations.

A. "Act" means the Vital Statistics Act, Sections 24-14-1 to 24-14-31, NMSA 1978 as amended.

B. "Bureau" means the vital records and health statistics bureau, epidemiology and response division) within the department of health, which was formerly and in the statute

referred to as the vital statistics bureau. Vital Statistics Act 24-14-1, et seq., NMSA 1978.

~~E.~~(1) "Certificate of still birth" means a certificate created by the BVRHS at the request of a parent named on a report of spontaneous fetal death which captures data from a report of a spontaneous fetal death reported in accordance with New Mexico law. The certificate is intended to memorialize a stillbirth event, but cannot be used as proof of a live birth, for identification or other legal purposes.

~~D.~~(2) "Certifier" , for purposes of death records means a person authorized to certify cause of death pursuant to the laws of New Mexico.

~~E.~~(3) "Court ordered custodian" means the New Mexico children youth and families department when that department has legal custody of the child pursuant to a court order issued by a court of competent jurisdiction in the state of New Mexico.

~~F.~~(1) "Dead body" means a human body or such parts thereof other than skeletal remains which cannot be classified as artifacts; dead within the meaning of Section 12-2-4 NMSA 1978.

~~G.~~(2)"Department" means the department of health.

~~H.~~(1) "Fetal death" means death prior to complete expulsion or extraction from its mother of a product of human conception, irrespective of the duration of pregnancy; the death is indicated by the fact that after such expulsion or extraction the fetus does not breathe or show any evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles.

~~I.~~ (a) "Induced termination of pregnancy" means the purposeful interruption of pregnancy with the intention other than to produce a live-born infant or to remove a dead fetus, and which does not result in a live birth; induced abortion.

~~J.~~ (b) "Spontaneous fetal death" means the expulsion or extraction of a product of human conception resulting in other than a live birth and which is not an induced termination of pregnancy; still birth.

~~K.~~ (2) "File" means to present a vital record for registration by the state registrar.

~~L.~~ (3) "Final disposition" means the burial, interment, cremation, removal from the state or other authorized disposition of a dead body or fetus.

~~M.~~(4) "Forms" means all certificates, forms, electronic media, reports, and records, and any safety paper used in their production, which are vital records.

~~N.~~(5) "Fraud manager" means an employee or representative of the bureau whose responsibilities include liaison with law enforcement, immigration, passport, embassy and consular officials, or other agencies, and who investigates or coordinates the investigation of any incidence or suspected incidence of fraud, or violation of statute or regulation, and who reports on these investigations to the state registrar.

~~O.~~(1) "Gender" means a person's internal sense of being male, female, some combination of male and female, or neither male nor female.

~~N.~~(2) "Given name" means a name that precedes one's surname.

(1) "Healthcare provider" for the purposes of medical aid in dying means an authorized individual pursuant to the End-of-Life Options Act to prescribe medical aid in dying including a physician licensed pursuant to the Medical Practice Act, an osteopathic physician licensed pursuant to the Osteopathic Medicine Act; A nurse licensed in advanced practice pursuant to the Nursing Practice Act, or a physicians assistant licensed pursuant to the Physicians Assistant Act or the Osteopathic Medicine Act.

(2) "Homeless" means the following:

(a) lacking a fixed, regular, and adequate nighttime residence;

(b) living in the housing of another person due to the individual's loss of housing, economic hardship or other reason related to that individual's lack of residence;

(c) living in a motel, hotel, trailer park or camping ground due to the lack of alternative adequate accommodation;

(d) living in an emergency or transitional shelter;

(e) sleeping in a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings; or

(f) living in an automobile, a park, a public space, an abandoned building, substandard housing, a bus station, a train station or similar setting.

~~O.~~(1) "Immediate family" means any of the following: mother, father, grandmother, grandfather, grandchild, sibling, child or current spouse.

J. Definitions beginning with "J": [RESERVED]

K. Definitions beginning with "K": [RESERVED]

~~P.~~(2) "Institution" means any establishment, public or private, which provides in-patient or out-patient medical or surgical, or diagnostic care or treatment or nursing, custodial, or domiciliary care, or to which persons are committed by law.

L. Live birth" means the complete expulsion or extraction from its mother of a product of human conception, irrespective of the duration of pregnancy, which, after such expulsion or extraction, breathes, or shows any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles, whether or not the umbilical cord has been cut or the placenta is attached.

(1) "Medical aid in dying" means the medical practice wherein a health care provider prescribes medication to a qualified individual who may self-administer that medication to end that individual's life in accordance with the provisions of the End-of-Life Options Act.

~~Q.~~(2) "Minor Error" means transposition of letters in words of common knowledge, typographical errors, or omissions of letters and numbers.

R. "Live birth" means the complete expulsion or extraction from its mother of a product of human conception, irrespective of the duration of pregnancy, which, after such expulsion or extraction, breathes, or shows any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles, whether or not the umbilical cord has been cut or the placenta is attached.

N. Definitions beginning with "N": [RESERVED]

~~S.O.~~ "OMI" means the office of the medical investigator.

~~T.P.~~ "Physician" means a person authorized or licensed to practice medicine or osteopathy pursuant to the laws of New Mexico.

Q. Definitions beginning with "Q": [RESERVED]

~~U.R.~~ "Registration" means the acceptance by the state registrar and the incorporation into his or her official records of vital records provided for in the act.

~~V.S (1)~~ "Sex" means the biological anatomy of an individual's reproductive system, and secondary sex characteristics.

~~W.(2)~~ "State" means the state of New Mexico.

~~X.(3)~~ "State registrar" means the person appointed under the Vital Statistics Act, Section 24-14-14, et seq., NMSA 1978, and whose duties are described in the act at Section 24-14-4 NMSA 1978.

~~Y.(4)~~ "System of vital statistics" means the registration, collection, preservation, amendment and certification of vital records; the collection of other reports required by this act; and activities related thereto, including the tabulation, analysis and publication of vital statistics.

T. Definitions beginning with "T": [RESERVED]

U. Definitions beginning with "U": [RESERVED]

~~Z.V.(1)~~ "Vital records" means certificates, records, reports, or registration forms of birth and death, and supporting documentation.

~~AA.V.(2)~~ "Vital statistics" means the data derived from certificates and reports of birth, death, spontaneous fetal death, induced termination of pregnancy and related reports.

W. Definitions beginning with "W": [RESERVED]

~~BB.X~~ "X" means a gender other than male or female, or an undesignated gender.

Y. Definitions beginning with "Y": [RESERVED]

Z. Definitions beginning with "Z": [RESERVED]

7.2.2.13 - Registration of death:

A. ~~Filing Deadlines Registration.~~ A certificate of death for each death which occurs in this state shall be filed electronically within five days after the death and prior to final disposition. Exceptions to this period shall be only those afforded by statute or regulation.

(1) When a death occurs in this state, a certificate of death shall be filed through the state's approved electronic system within five days after the death and prior to final disposition.

(a) The medical certification of death must be completed in the state's approved electronic system by the individual responsible for the medical certification.

(b) The demographic section of the certificate of death must be completed in the state's approved electronic system by the funeral practitioner or the person acting as such.

(2) Cases completed by tribal and federal entities will have up to 30 days after the receipt of medical records or autopsy, including toxicology results, to complete the medical certification section of the death certificate with manner and cause of death. If these entities need additional time to complete the medical certification, they must contact the registrar within 30 days of death to request an extension.

~~(3)~~(3) Cases referred to the office of the medical examiner will have up to 30 days after the receipt of medical records or autopsy, including toxicology results, to complete the medical certification section of the death certificate with a manner and cause of death other than "pending". If the office of medical examiner needs additional time to complete the medical certification with manner and cause of death, they shall contact the state registrar prior to the expiration of time to request an extension.

(4) Certificates of death for indigent cases referred to a county shall be completed by the county through the state's approved electronic system within 30 days of the indigent case assignment to the county.

~~(5)~~(5) An extension of the required filing time for a certificate of death may be granted at the discretion of the state registrar to prevent undue hardship in accordance with Section 24-14-24 NMSA 1978.

~~(6)~~(6) In all cases the medical certification must be signed by the person responsible for such certification. If the cause of death is unknown or undetermined, the cause and or manner of death shall be shown as such on the certificate.

B. Incomplete certificate of death. If all the information necessary to complete the certificate of death is not available within the time prescribed for filing of the certificate, the funeral service practitioner shall file the certificate completed with all information that is available, and attach a note explaining why the incomplete items cannot be completed at the time of submission.

(1) The affidavit providing the information missing from the original certificate shall be filed with the state registrar as soon as possible, but in all cases within 30 days of the date of the death occurred unless otherwise specifically approved by the state registrar.

(2) When the affidavit results in changes to the existing certificate of death, such affidavit shall be considered an amendment; the certificate of death shall be marked "amended," and the affidavit shall be attached to the original certificate which is retained by the bureau.

C. Amendment of a certificate of death. Unless otherwise provided for in these regulations, the certificate of death may be amended only in the following manner:

(1) Statistical items: non-medical statistical items, including but not limited to: ethnicity, education, race and occupation may be amended when new facts become available. The affidavit/change procedure described in Paragraphs (1) and (2) of Subsection B of 7.2.2.13 NMAC shall be used. Additional evidence may be required by the state registrar.

(2) Date of death, place of death, time of death, date pronounced, time pronounced, manner of death, and any portion of the cause of death may not be changed through the use of an amended certificate. These items shall only be changed by the preparation and filing of a medical affidavit signed by the certifier.

(3) The amendment of medically related items and items related to injury may only be submitted by the office of the medical investigator or equivalent military or tribal authorities and only on the form prescribed by the state registrar. Should the certificate of death be revised, resulting in changes of referenced material, the state registrar shall advise customary users of the certificate of the changes.

(4) An amendment of the marital status at time of death shall be made only if it is:

(a) requested by the person listed as informant on the certificate of death, upon completion of the prescribed form and presentation of acceptable documentation proving marital status at the time of death.

~~(b) accompanied by a notarized affidavit from the informant agreeing to the amendment; or~~

(b) requested by the funeral practitioner who provides an affidavit that the information as filed with the bureau was inconsistent with the information provided to such practitioner by the informant; or

~~(d)~~(c) accompanied by a certified copy of a district court order directing the change in marital status, along with a copy of the petition for such order and evidence submitted to the court in support of the requested amendment, if such information was not previously supplied to the bureau.

D. Certificate of death occurring in a hospital or other institution and not under the jurisdiction of OMI. When a death occurs in a hospital or other institution, and the death is not under the jurisdiction of the office of the medical investigator, the person in charge of such institution, or his or her designated representative, may initiate the preparation of the certificate of death as follows.

(1) place the full name of the decedent and the date and place of death on the certificate of death, and obtain information on the method and place of disposition and enter on the disposition part of the certificate, and obtain from the certifier the medical certification

of cause of death and the certifier's signature;

(2) present the partially completed certificate of death to the funeral service practitioner or person acting as such and advise them that they need to complete the missing items on the certificate and file it with the bureau of vital records and health statistics.

(3) for all deaths in which OMI assumes jurisdiction, including but not limited to a death without medical attendance and presumptive death, see OMI administrative rules at OMI 86-1.

E. Effect on other vital records:

(1) Upon death of a registrant, the registrant's birth certificate shall be marked with the word "deceased".

(2) If the death of an infant born alive occurs within two months of the date of the infant's birth, a family may receive one copy of a birth certificate without the "deceased" mark if the request is made with vital records state office within thirty days of the date of the infant's death.

(3) Unnamed birth certificates shall not be issued pursuant to this section. The child must be named at birth to obtain a birth certificate under this section.

(4) Amendments to a birth certificate, including but not limited to paternity, may not be made to a birth certificate after that registrant's death certificate is registered.

7.2.2.16 - Authorization for final disposition:

A. Disposition of Body. Before final disposition of a dead body or a fetus, the funeral service practitioner or person acting as such shall.

(1) Obtain assurance from the certifier that death is from natural causes and that the certifier will assume responsibility for certifying the cause of death or fetal death.

(2) For any case which comes under the jurisdiction of the office of the medical investigator, notify the office of the medical investigator and obtain authorization for removal and final disposition of a dead body or fetus.

B. Disposition of a dead body not under the supervision of a licensed New Mexico funeral service practitioner, direct disposer. When a death occurs in a hospital or other institution, and the disposition is not under the supervision of a licensed New Mexico funeral service practitioner, or direct disposer, the person in charge of such an institution or his or her designated representative shall:

(1) initiate the certificate of death or burial as follows:

(a) place the full name of the decedent and the date of death on the certificate of death registration form;

(b) obtain the information from the person to whom the body is being released and complete on the disposition section of the form the method and place of disposition; and

(c) obtain the medical certification of the cause of death from the certifier and the certifier's signature;

(2) obtain and verify through identification the full name and address of the person to whom the dead body is being released for disposition, and the place of disposition; and

(3) advise the person taking charge of the dead body of the statutory requirements to file the certificate of death registration form within 5 days, and prior to final disposition;

(4) send a photocopy of the partially completed certificate of death along with the name and address of the person who is not a funeral service practitioner, but who is acting as such, to the bureau of vital records and health statistics within five days;

(5) the original, partially completed copy of the registration form shall be completed by the person who is not a funeral service practitioner, but who is acting as such, to file within five days with the bureau of vital records and health statistics.

C. Filing of fetal death report. For any fetal death in which the fetus has attained at least twenty-week gestation or if gestational age is unknown, when the fetus weighs no less than 350 grams occurring in the state, a fetal death report shall be filed by the hospital, institution, physician, or, in the event the fetal death was unattended by any of the former, by the office of the medical investigator within 10 days and prior to final disposition. If a fetal death occurs with a midwife in attendance, the office of the medical investigator must be notified since New Mexico law limits pronouncement of death to a physician, certified nurse practitioner, or the office of the medical investigator. If a funeral service practitioner is aware that a fetal death occurred without medical attention, the funeral services provider shall notify the office of the medical investigator to initiate the report of fetal death. In all circumstances, a fetal death report must be initiated before the fetus is released for disposition.

D. Authorization for disinterment and reinterment. An authorization for disinterment and reinterment of a dead body shall be issued by the state registrar or state medical investigator on the form prescribed, upon receipt of a written request from the immediate family and the person who is in charge of the disinterment or upon receipt of an order of a court of competent jurisdiction directing the disinterment and a certified copy of the death certificate if the death did not occur in New Mexico. A disinterment/reinterment permit can only be issued to a licensed funeral service practitioner or direct disposer.

(1) Upon receipt of a court order or signed permission of the owner of the cemetery or burial ground, the state registrar or state medical investigator may issue one authorization to permit disinterment and reinterment of all remains in a mass disinterment. Insofar as possible, the remains of each body should be identified. The place of disinterment and reinterment shall be specified, including the cemetery name, the city, county and state of burial. The authorization shall be permission for disinterment, transportation and reinterment.

(2) Authorization shall be obtained from the state archaeologist for disinterment subject to the provisions of Section 18-6-11 NMSA 1978.

(3) A dead body properly prepared by an embalmer and deposited in a receiving vault shall not be considered a disinterment when removed from the vault for final disposition.

(4) No permit shall be issued for disinterment/reinterment of a dead body within the boundaries of a single cemetery, but notice of such should be provided to the immediate family of the decedent.

7.2.2.17 - Amendment of Live Birth and Death Certificates

A. Who may apply to amend a certificate - birth and death.

(1) To amend a birth certificate, application may be made by both parents, the legal guardian or court ordered custodian, the registrant if 18 years of age or over, a legal representative for the registrant or parents, or the individual responsible for filing the original certificate. On any request not made by the registrant for a child age fourteen years of age or older, the child must sign the application or give notarized consent to the change unless an amendment has been issued by a court of competent jurisdiction, and Subsection D of 7.2.2.17 NMAC of these regulations applies. This excludes Subsection F of 7.2.2.17 NMAC.

(2) To amend a certificate of death, application may be made by the informant or the funeral service practitioner or person acting as such who signed the certificate of death. Applications to amend the medical certification of cause of death shall be made only by the certifier who signed the medical certification or the office of the medical investigator. Other requested amendments shall be in conformance with these regulations and the Vital Records Act.

B. Minor Errors.

(1) Correction of minor errors by the state registrar of a birth or death certificate: Correction of obvious minor errors, transposition of letters in words of common knowledge, or omissions may be made by the state registrar either upon his or her own observation or query.

(2) Correction of minor errors may be made upon request of the parents, legal guardian, or court ordered custodian of the registrant during the first year after birth. The certified certificate shall not be marked "amended."

C. Amendments of first or middle name. Unless otherwise provided for in these regulations or in statute, all applications for amendment to change the first or middle name on a vital record shall be supported by.

(1) An affidavit setting forth information to identify the certificate; the incorrect data as it is listed on the certificate; the correct data as it should appear, together with two or more items of acceptable documentary evidence which support the alleged facts and which were established at least five years prior to the date of the first application for amendment. For individuals five years or younger, acceptable documentary evidence shall be at the discretion of the state registrar.

(2) When minor corrections are made by the state registrar, a notation as to the source of the information, together with the date the change was made and the initials of the authorized agent making the change shall be made on the computer file, but shall not become a part of any certificate issued.

(3) The state registrar shall evaluate the evidence submitted in support of any amendment, and when they find reason to doubt its validity or adequacy the amendment may

be rejected and the applicant advised of the reasons for this action.

(4) The bureau may also amend a record upon receipt of a certified court order for a name change made pursuant to the provisions of Section 40-8-1 NMSA 1978.

D. Other Amendments.

(1) any application for amendment to change a last name on a vital record, except as otherwise provided in these regulations, shall be accompanied by a certified order from a court of competent jurisdiction;

(2) upon the receipt and acceptance of an acknowledgment of paternity affidavit, vital records will add the adjudicated father and if requested on the affidavit, the name of the child;

(3) amendment to the date of birth on a birth certificate shall be addressed as follows:

(a) the day of birth can be corrected with an affidavit upon proper submission of acceptable documentary evidence as long as the day of birth is not after the date the certificate is originally filed;

(b) changes to the month and year of birth shall be at the discretion of and in a manner prescribed by the state registrar; or

(c) as stated in a certified order by a court of competent jurisdiction.

(4) No name may be removed from a vital record without a court order;

(5) No amendments may be made to a birth certificate after the registrant is deceased without a court order.

~~(4)~~ (6) Any amendment to a vital record not addressed in these regulations shall be at the discretion of and in the manner prescribed by the state registrar.

E. Addition of given names - birth certificates. Given names, for a child whose birth was recorded without given names, may be added to the certificate upon written request of the registrant; or

(1) both parents; or

(2) the mother in the case of a child with no legally recognized father; or

(3) the father in the case of the death or incapacity of the mother; or

(4) the mother in the case of the death or incapacity of the father; or

(5) the guardian or agency having evidence of legal custody of the registrant; or

(6) any other legally recognized parent, legal guardian or court ordered custodian of a minor; or

(7) upon the receipt of an order by a court of competent jurisdiction.

F. Amendment of Gender.

(1) A registrant if 18 years of age or older, born in New Mexico, or a registrant's parent, guardian, or legal representative, may amend the birth certificate to indicate a designated gender by providing the following:

(a) a completed gender designation change form provided by the bureau, along with a birth search application form;

(b) the statutorily required fee for the revision of a vital record pursuant to the New Mexico Vital Statistics Act. This fee shall include one certified copy of the amended record;

(c) a certified copy of an order from a court of competent jurisdiction changing the name of the registrant if applicable.

(2) Upon receipt of the required documentation, the gender designation will be changed to indicate male, female, or X.

(3) On any request not made by the registrant for a child age fourteen years of age or older, the child must sign the application or give notarized consent to the change unless an amendment has been issued by a court of competent jurisdiction.

G. Amendment of the same item more than once. Once an amendment of an item is made on a vital record, that item shall not be amended again except upon receipt of a certified court order.

H. When an applicant or informant does not submit the minimum documentation required in the regulations for issuing or amending a vital record, or when the state registrar has reasonable cause to question the validity or adequacy of the applicant's sworn statements or the documentary evidence submitted, the state registrar shall not issue or amend the vital record and shall advise the applicant of the reason for the action.

7.2.2.23 - Fees for Copies, Searches and Other Services

No copy of a birth certificate or certificate of death shall be issued until the fee for the copy is received unless specific approval has been obtained from the state registrar or otherwise provided for by statute or regulation.

A. Each search for a birth certificate, death certificate, or certificate of still birth will be conducted upon receipt of the statutorily required fee pursuant to Section 24-14-29 NMSA 1978. The fee shall include one certified copy of the record, if available, and if no record is found the fee shall be non-refundable.

B. Delayed birth or death registration. A delayed record will be created upon receipt of the statutorily required fee pursuant to Section 24-14-29 NMSA 1978, and shall include one certified copy of the delayed record.

C. An individual may have all fees waived by signing a form approved by the bureau attesting to the fact that they are homeless at the time of the request.

C. Amendments.

(1) Minor corrections. For the amendment of a record due to obvious errors, omissions on birth records (other than the name of the father), or transposition of letters in words of common knowledge, there shall be no charge.

(2) Major corrections. For the amendment of a record requiring the creation of an affidavit of correction or the submission of documentary evidence to support a change or correction to a record, the amendment will be made upon receipt of the statutorily required fee pursuant to Section 24-14-29 NMSA 1978, and shall include one certified copy of the amended record.

D. Multiple Copies. additional copies, after those provided for in Subsections A. and B., and Paragraph (2) of Subsection C, of this section will be provided upon receipt of the statutorily required fee pursuant to Section 24-14-29 NMSA 1978.

E. Other. For any statistical research, other agency verification, data provision service or permit not specified in statute, the state registrar shall determine the fee for service on the basis of the costs of providing such services and determine the manner in which such costs must be paid.

F. Unnamed Birth Certificates: Birth certificates that were registered without a given name for the registrant will not be issued until the registrant is named, except to a government agency for their administrative use for a pending adoption of the child.

G. Administrative closures: All orders that have not been completed will be closed within six months of no activity and a new request must be made after an administrative closure. No fees will be returned or applied to the new request after an administrative closure.

7.2.2.24 - Court Orders:

A. Court orders received by the bureau which order the amendment or creation of a vital records which are inconsistent with information known or maintained by the bureau may require the formal or other challenge of such if the bureau was not given notice of the related hearing or otherwise made aware of the proceeding prior to receiving the court order or was not provided with supporting documentary evidence relied on by the court to support its findings. Such action is necessary to protect the integrity and accuracy of the vital records held by the state registrar pursuant to state law.

B. The bureau will work cooperatively with tribal courts and authorities to meet the requirements of state law and the needs of the tribes.

C. Changes contained in a court order are only applicable to the person or persons specifically mentioned in the court order. A court ordered name change is only applicable to the registrant and will not operate as a method to amend any other vital record unless otherwise specified in the order.

7.2.2.25 - Naming

For all parts of this section, any document in which a name is created or amended,

the name given must comply with the following requirements:

A. must include a first and last name;

B. must be a full name and may not include initials;

C. may not be obscene, offensive, bizarre, or unduly lengthy;

D. may not be used for fraudulent purposes; and

E. may only use the 26 letters of the English alphabet and may not contain characters except hyphens, apostrophes, and periods.

7.2.2.26 - Reporting; Medical Aid in Dying

A. A healthcare provider who prescribes medical aid in dying medication to an individual must fully complete and return the designated form to the bureau as soon as possible but in no case later than 30 days of issuing the prescription. The submitted form will be assigned a number for administrative purposes, and the form number will be sent to the healthcare provider who completed the designated form.

B. If after making reasonable efforts within 30 days of issuing the prescription, the healthcare provider is not aware of whether the prescription has been ingested, or if the prescription has not yet been ingested, the provider must submit the designated form and mark either “not yet ingested” or “unknown”.

C. If a healthcare provider marks “not yet ingested” or “unknown” on the form, the healthcare provider must update that information on a new form using the number assigned on the original form within 3 months of issuing the prescription. “Unknown” will not be accepted on the updated form.

Thank you,

Chris

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