

G.S. 150B-21.3A Report for 10A NCAC 41H, VITAL RECORDS

Agency - NC DHHS State Registrar of Vital Statistics

Comment Period - 2/19/18 - 4/20/18

Date Submitted to APO - October 22, 2018

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms to Federal Regulation [150B-21.3A(e)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
	SECTION .0100 - GENERAL PROVISIONS	10A NCAC 41H .0101	ADMINISTRATION	Amended Eff. September 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41H .0102	DEFINITIONS	Amended Eff. January 1, 1984	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41H .0103	FORMS	Readopted Eff. November 15, 1977	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41H .0104	GENERAL REQUIREMENTS FOR PREPARATION OF CERTIFICATES	Amended Eff. September 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41H .0105	MONTHLY VITAL STATISTICS REPORT	Readopted Eff. November 15, 1977	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	SECTION .0200 - LOCAL REGISTRARS, DEPUTY REGISTRARS, SUBREGISTRARS	10A NCAC 41H .0201	APPOINTMENTS OF LOCAL, DEPUTY LOCAL, AND SUBREGISTRARS	Amended Eff. October 1, 1984	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41H .0202	REMOVAL/RESIGNATION OF LOCAL: DEPUTY: OR SUBREGISTRAR	Amended Eff. September 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	SECTION .0300 - BIRTH REGISTRATION	10A NCAC 41H .0301	GENERAL REQUIREMENTS	Readopted Eff. November 15, 1977	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41H .0302	LATE CERTIFICATES NOT SIGNED BY ATTENDANT	Amended Eff. February 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41H .0303	PHYSICIAN'S SIGNATURE	Amended Eff. February 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41H .0304	MOTHER'S SIGNATURE	Readopted Eff. November 15, 1977	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41H .0305	MEDICAL AND HEALTH INFORMATION	Readopted Eff. November 15, 1977	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	SECTION .0400 - DELAYED REGISTRATION OF BIRTHS	10A NCAC 41H .0401	GENERAL REQUIREMENTS	Amended Eff. July 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41H .0402	DOCUMENTARY EVIDENCE: FACTS TO BE ESTABLISHED	Amended Eff. September 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41H .0403	COMPLETION OF THE CERTIFICATE	Amended Eff. July 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41H .0404	FINAL CERTIFICATION	Readopted Eff. November 15, 1977	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41H .0405	DISMISSAL AFTER ONE YEAR	Readopted Eff. November 15, 1977	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41H .0406	DELAYED BIRTH CERTIFICATES FOR DECEASED PERSONS	Readopted Eff. November 15, 1977	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note

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	SECTION .0500 - DEATH REGISTRATION	10A NCAC 41H .0501	HOSPITAL ASSISTANCE IN PREPARATION OF DEATH CERTIFICATES	Amended Eff. September 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41H .0502	ACCEPTANCE OF INCOMPLETE DEATH CERTIFICATE	Readopted Eff. November 15, 1977	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41H .0503	DEATH REGISTRATION: MEDICAL CERTIFICATION	Amended Eff. September 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41H .0504	NO DEATH CERTIFICATE FOR MISSING PERSONS	Readopted Eff. November 15, 1977	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41H .0505	DISINTERMENT-REINTERMENT PERMITS	Amended Eff. September 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41H .0506	REMOVAL OF BODIES	Readopted Eff. November 15, 1977	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	SECTION .0600 - CERTIFIED COPIES	10A NCAC 41H .0601	BIRTH CERTIFICATES	Amended Eff. July 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41H .0602	DELAYED BIRTH CERTIFICATES	Readopted Eff. November 15, 1977	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41H .0603	BIRTH CERTIFICATES FOR OUT-OF-WEDLOCK BIRTHS	Readopted Eff. November 15, 1977	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41H .0604	DEATH CERTIFICATES	Readopted Eff. November 15, 1977	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	SECTION .0700 - FEES AND REFUNDS	10A NCAC 41H .0701	ROUTINE REQUESTS FOR CERTIFIED COPIES	Amended Eff. November 1, 2010	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41H .0702	RESEARCH REQUESTS	Amended Eff. November 1, 2010	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41H .0703	FEES FOR CORRECTIONS AND AMENDMENTS	Amended Eff. June 1, 2005	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41H .0704	FEES FOR PREPARING NEW CERTIFICATE: ADOPTION AND LEGITIMATION	Amended Eff. June 1, 2005	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	SECTION .0800 - CHANGE OF NAMES	10A NCAC 41H .0801	NORTH CAROLINA COURT ORDERS	Readopted Eff. November 15, 1977	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41H .0802	OUT-OF-STATE COURT ORDERS	Amended Eff. September 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41H .0803	FEDERAL WITNESS PROTECTION PROGRAM	Amended Eff. May 15, 1979	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41H .0804	FILING COURT ORDERS	Amended Eff. May 15, 1979	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note

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		10A NCAC 41H .0805	JUDICIAL DETERMINATION OF PATERNITY	Amended Eff. August 1, 1991	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	SECTION .0900 - CORRECTIONS AND AMENDMENTS	10A NCAC 41H .0901	ERRORS	Amended Eff. January 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41H .0902	MINOR CORRECTIONS	Readopted Eff. November 15, 1977	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41H .0903	CORRECTIONS REQUIRING PROOF	Amended Eff. February 1, 1994	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41H .0904	ADDING NAMES	Amended Eff. April 1, 1982	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41H .0905	CORRECTING FALSIFIED BIRTH CERTIFICATES	Amended Eff. September 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		0A NCAC 41H .0906	AMENDED CAUSES OF DEATH	Readopted Eff. November 15, 1977	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41H .0907	CORRECTIONS TO DELAYED BIRTH CERTIFICATES	Readopted Eff. November 15, 1977	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41H .0908	PROCEDURES FOR HANDLING DUPLICATE CERTIFICATES	Readopted Eff. November 15, 1977	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41H .0909	AMENDMENTS TO BIRTH CERTIFICATES REQUIRING COURT ORDER	Amended Eff. November 1, 1978	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41H .0910	VITAL RECORDS AMENDMENT PROCEDURES	Amended Eff. December 6, 1991	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	SECTION .1000 - NEW CERTIFICATES	10A NCAC 41H .1001	NEW CERTIFICATES OF BIRTHS FOLLOWING ADOPTIONS	Amended Eff. May 1, 1991	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41H .1002	NEW CERTIFICATES OF BIRTH FOLLOWING LEGITIMATIONS	Amended Eff. October 1, 1984	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41H .1003	ADOPTIONS AND LEGITIMATIONS: NEW DELAYED CERTIFICATES	Readopted Eff. November 15, 1977	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41H .1004	ACCESS TO ORIGINAL RECORDS	Readopted Eff. November 15, 1977	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	SECTION .1100 - LEGITIMATIONS	10A NCAC 41H .1101	GENERAL	Amended Eff. September 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		10A NCAC 41H .1102	LEGITIMATION BY SUBSEQUENT MARRIAGE	Amended Eff. September 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	SECTION .1200 - REMOVAL OF GRAVES	10A NCAC 41H .1201	REGISTRATION OF GRAVES REMOVED	Amended Eff. September 1, 1990	Necessary without substantive public interest	No		Yes	Necessary with substantive public interest	RRC not required to review comment(s)	Necessary with substantive public interest and must be readopted	Agency must readopt
		10A NCAC 41H .1202	FORMS	Amended Eff. January 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	SECTION .1300 - ACCESS TO RECORDS	10A NCAC 41H .1301	INFORMATION NEEDED FOR LOCATING RECORDS	Amended Eff. January 1, 2005	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note

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		10A NCAC 41H .1302	ISSUANCE OF CERTIFIED COPIES	Transferred and Recodified from 10 NCAC 7G .1303 Eff. April 4, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	SECTION .1400 - DIVORCE AND ANNULMENT	10A NCAC 41H .1402	REGISTRATION OF DIVORCES AND ANNULMENTS	Amended Eff. October 1, 1984	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note

strRuleTitle	strRuleCitation	dtmTimestamp	strFirstName	strLastName	strCompany	strEmail	strZip	memComment
REGISTRATION OF GRAVES REMOVED	10A NCAC 41H .1201	21-Feb-18	Lisa	Thompson	Onslow County Register of Deeds	Lisa_Thompson @onslowcounty nc.gov		Please note: 10A NCAC 41H .1201(b)(5) is incorrect. The recording fee for a Removal of Graves is the same as Instruments in General. \$26.00 for 1-15 pages, and \$4.00 for each additional page thereafter. Please refer to NCGS 65-106(d) and NCGS 161- 10(a)(1)(3). Thank you.