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Franchesca Martinez

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Rule Hearing NMAC Rule Change 2019-ERD-Public Notice (7.2.2) "Vital Records & Statistics"

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Franchesca Martinez changed Agency from a blank value to Department of Health

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SSP Rule Hearing Name NMAC Rule Change 2019-ERD-Public Notice (7.2.2) "Vital Records & Statistics"

Agency [Department of Health](#)

Proposed Rule Summary

The proposed rule amendments include:

- Addition of the process in which an individual may amend their gender on their birth certificate to reflect as Male, Female, or X.
- Update the delayed birth certificate issuance process.
- Update the death certificate guidelines.
- Updated the requirements for filing a fetal death report to align with statutory requirements
- Remove the requirement that documentary evidence for amendments to birth certificates be prior to the registrants 7th birthday, allowing for documentation from any age as long as it was issued at least 5 years prior to the date of application.
- Updated language and formatting to meet current NMAC requirements,
- Updated costs section to reflect current statutory cost requirements.

The legal authority for the proposed rule amendments is at Subsection E of Section 9-7-6 NMSA 1978, and the Vital Statistics Act Section 24-14-1 to 24-14-31 NMSA 1978.

Purpose (Brief)

The public hearing will be conducted to receive public comment on the proposed repeal and replacement of Part 7.2.2 NMAC.

Purpose

The New Mexico Department of Health (Department) will hold a public hearing on the proposed repeal and replacement of part 7.2.2 NMAC "Vital Records and Statistics". The hearing will be held on October 1, 2019 at 9:00 a.m. in the auditorium of the Harold Runnels Building, located at 1190 St. Francis Drive in Santa Fe, New Mexico. The proposed rule amendments include:

- Addition of the process in which an individual may amend their gender on their birth certificate to reflect as Male, Female, or X.
- Update the delayed birth certificate issuance process.
- Update the death certificate guidelines.
- Updated the requirements for filing a fetal death report to align with statutory requirements
- Remove the requirement that documentary evidence for amendments to birth certificates be prior to the registrants 7th birthday, allowing for documentation from any age as long as it was issued at least 5 years prior to the date of application.
- Updated language and formatting to meet current NMAC requirements,
- Updated costs section to reflect current statutory cost requirements.

The legal authority for the proposed rule amendments is at Subsection E of Section 9-7-6 NMSA 1978, and the Vital Statistics Act Section 24-14-1 to 24-14-31 NMSA 1978.

Free copies of the full text of the proposed rule amendments can be obtained online from the New Mexico Department of Health's website at <http://nmhealth.org/about/asd/cmo/rules/> or from Franchesca Martinez using the contact information below.

The public hearing will be conducted to receive public comment the proposed repeal and replace of Part 7.2.2 NMAC. Any interested member of the public may attend the hearing and submit data, views, or arguments either orally or in writing on the proposed rule amendments during the hearing. Written public comment may also be submitted prior to the date of the hearing. Please submit any written comments regarding the proposed rule amendments to the attention of:

Franchesca Martinez
NM Department of Health
P.O. Box 26110
Santa Fe, NM 87502-6110

Or at:
franchesca.martinez@state.nm.us

All written comments must be received by 5:00 p.m. MDT on September 30, 2019, or may be submitted at the public hearing. All written comments will be published on the agency website at <http://nmhealth.org/about/asd/cmo/rules/> within 3 days of receipt, and will be available at the New Mexico Department of Health Office of General Counsel for public inspection.

If you are an individual with a disability who is in need of special assistance or accommodations to attend or participate in the hearing, please contact Franchesca Martinez by telephone at (505) 827-2997. The Department requests at least ten (10) days advance notice to provide requested special accommodations.

Owner [Franchesca Martinez \[Change\]](#)



Information to Constituents	
Hearing Start Date and Time	10/1/2019 9:00 AM
Hearing End Date and Time	10/1/2019 5:00 PM
Public Hearing Location	Harold Runnels Building Auditorium 1190 St. Francis Drive Santa Fe, New Mexico 87505
How To Participate	The public hearing will be conducted to receive public comment the proposed repeal and replacement of Part 7.2.2 NMAC. Any interested member of the public may attend the hearing and submit data, views, or arguments either orally or in writing on the proposed rule amendments during the hearing. Written public comment may also be submitted prior to the date of the hearing. If you are an individual with a disability who is in need of special assistance or accommodations to attend or participate in the hearing, please contact Franchesca Martinez by telephone at (505) 827-2997. The Department requests at least ten (10) days advance notice to provide requested special accommodations.
How To Obtain Copy of Proposed Rule	Free copies of the full text of the proposed rule amendments can be obtained online from the New Mexico Department of Health's website at http://nmhealth.org/about/asd/cmo/rules/ or from Franchesca Martinez using the contact information below. Franchesca Martinez NM Department of Health P.O. Box 26110 Santa Fe, NM 87502-6110 Or at: franchesca.martinez@state.nm.us
Rule Hearing Contact Name	Franchesca Martinez
Rule Hearing Contact Email	franchesca.martinez@state.nm.us
Rule Hearing Contact Phone Number	(505) 827-2997
When Are Comments Due	9/30/2019 5:00 PM
How to Submit Comments	Written public comment may also be submitted prior to the date of the hearing. Please submit any written comments regarding the proposed rule amendments to the attention of: Franchesca Martinez NM Department of Health P.O. Box 26110 Santa Fe, NM 87502-6110 Or at: franchesca.martinez@state.nm.us All written comments must be received by 5:00 p.m. MDT on September 30, 2019, or may be submitted at the public hearing. All written comments will be published on the agency website at http://nmhealth.org/about/asd/cmo/rules/ within 3 days of receipt, and will be available at the New Mexico Department of Health Office of General Counsel for public inspection.

Related Links	
Link to Rule Explanatory Statement	http://nmhealth.org/about/asd/cmo/rules/
Link to Rule Corrections	http://nmhealth.org/about/asd/cmo/rules/
Related New Mexico Register Publications	http://164.64.110.134/nmac/xxx16
Administrative Code	
Created By	Franchesca Martinez, 8/22/2019 11:00 AM
Last Modified By	Franchesca Martinez, 8/22/2019 11:00 AM

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