**Section 500.20 Access to Vital Records**

a) *To protect the integrity of vital records, to insure their proper use, and to insure the efficient and proper administration of the vital records system, access to vital records, and indexes thereof, is limited to the custodian and his employees, and then only for administrative purposes.* Nothing in this Partshall be construed as authorization *to permit* access to or *inspection of* the *vital records* by any person other than the custodians or their employees, nor as authorization *to disclose information contained in* these *records, or copy, or permit to be copied, all or any part of* these *records, except as authorized by the Act* or this Part, or the Adoption Act (Section 24(1) of the Act).

b) *The State Registrar of Vital Records, or his agent, and any municipal, county, multi-county health department, public health district, or regional health officer recognized by the Department may examine vital records for the purpose only of carrying out the public health programs and responsibilities under his jurisdiction* (Section 24(2) of the Act). Vital records shared under this subsection may include parts of the Certificate of Live Birth, including the Birthing Parent's Medical and Health Information, when needed for the limited purpose of carrying out public health programs. Only the minimum information necessary for the intended purpose shall be disclosed. A person or entity to whom vital records copies or data, including, but not limited to, medical and health information, is furnished or to whom access to records has been given shall not divulge any part of the information so as to disclose the identity of the person to whom the information or record relates.

c) *The State Registrar of Vital Records, may disclose, or authorize the disclosure of, data contained in the vital records when deemed essential for bona fide research purposes which are not for private gain* (Section 24(3) of the Act).

d) *Federal, State, local and other public or private agencies may, upon request, be furnished copies or data for statistical purposes upon terms or conditions as may be prescribed by the Department.* Copies of vital records or data will be shared when deemed by the Department to be in the public's interest, and not for the purpose of commercial solicitation or private gain. Requests for data will be handled the same as bona fide research requests in accordance with Section 500.70.

e) In accordance with Jane Doe II v. Lumpkin, it shall be the duty of the persons responsible for the completion of the Certificate of Live Birth to ensure that the information necessary to complete the form is collected, recorded, and maintained in a confidential manner. This duty includes retaining, in a secure manner, only one copy of either the original birth record or the worksheet unless the hospital can demonstrate to the State Register that more than one copy is necessary for the maintenance of hospital records. Under no circumstances shall the original certificate or worksheet be disclosed to anyone other than the birthing parent, hospital officials responsible for completing the form, the State Registrar, the local registrar in the case of a home birth, or hospital personnel directly involved in the birthing parent's care and then only for administrative or health care purposes.

f) In accordance with Jane Doe II v. Lumpkin, hospital personnel responsible for the preparation of the Certificate of Live Birth are strictly prohibited from requesting any information or consent from the birthing parent or from presenting the worksheet and/or the original certificate to the birth parents for information, review, or signatures in the presence of anyone other than hospital personnel directly involved in the birthing parent's care. The coparent's signature shall be affixed to the original worksheet in a manner that will not divulge the data contained in the section titled "Information for Medical and Health Use Only".

g) In accordance with Jane Doe II v. Lumpkin, under no circumstances shall the section of the Certificate of Live Birth entitled "Information for Medical and Health Use Only" be disclosed to anyone, with the exception of the birthing parent, the State Registrar, the local registrar in the case of a home birth, and hospital personnel directly involved in the birthing parent's care, unless written informed consent has been given by the birthing parent. This prohibition includes the coparent of the infant and all immediate and extended family members. Consent shall be obtained from the birthing parent only when the birthing parent is alone or in the presence of hospital personnel directly involved in the birthing parent's care.

h) In adoption cases, the original birth certificate shall not be subject to inspection until the adopted person has reached the age of 21 years. The original birth certificate shall be made available as provided in Section 18.1b(e) of the Adoption Act [410 ILCS 535/17 (2a)].

i) Certified copies of an official birth record will be provided to the person to whom the record relates (if the person is 18 years of age or older), or to the parents, to the legal guardians, and to the legal representative, of the person to whom the record relates, upon identification, proof of authority, and payment of the fee under Section 25 of the Act.

j) Certified copies of an official death record will be provided to the administrator or executor of the decedent's estate.

k) Nothing in this Part shall be construed to permit disclosure of information contained in the "Information for Medical and Health Use Only" section of the Certificate of Live Birth and the Certificate of Fetal Death unless specifically authorized by a court of competent jurisdiction;

l) Nothing in this Part shall be construed to permit disclosure of information contained in the "Information for Statistical Purposes Only" section of the Certificate of Marriage or Certificate of Dissolution, Invalidity of Marriage, or Legal Separation unless specifically authorized by the State Registrar for statistical or research purposes or if authorized by a court of competent jurisdiction pursuant to 77 Ill. Adm. Code 500.70.

m) *All information submitted to the Adoption Registry is confidential and gathered by the State solely for the purpose of facilitating the exchange of updated medical data and contact information between adopted and surrendered persons and other registered parties. Information exchanged through the Registry shall not be admissible as evidence nor discoverable in any action of any kind in any court or before any tribunal, board, agency, or commission and shall not be disclosed, except as authorized by this Part under the Adoption Act. Disclosure of identifying information in violation of the Adoption Act is a Class A misdemeanor.* (Section 18.8 of the Adoption Act)

n) Any custodian of vital records will verify birth, death, marriage and divorce information presented to it by law enforcement agencies of federal, State, county and municipal governments of the United States and its territories and by federal, State, county and municipal government agencies, as well as consulates of foreign governments that administer health, welfare, safety or public assistance programs. [410 ILCS 535/3]

o) To generate uniform birth records that will be accepted nationwide by all federal agencies, all states, and the U.S. territories, and that conform to national practices that support anti-fraud and homeland security efforts, the Department shall provide copies of birth records that use all capital letters as generated by the electronic Illinois Vital Records System.

(Source: Amended at 46 Ill. Reg. 20036, effective November 30, 2022)