

Office of Regulatory Management
Economic Review Form

Agency name	State Board of Health
Virginia Administrative Code (VAC) Chapter citation(s)	12 VAC 5-550
VAC Chapter title(s)	Regulations Governing Vital Records
Action title	Periodic Review
Date this document prepared	7/19/2023
Regulatory Stage (including Issuance of Guidance Documents)	Periodic Review

Cost Benefit Analysis

Complete Tables 1a and 1b for all regulatory actions. You do not need to complete Table 1c if the regulatory action is required by state statute or federal statute or regulation and leaves no discretion in its implementation.

Table 1a should provide analysis for the regulatory approach you are taking. Table 1b should provide analysis for the approach of leaving the current regulations intact (i.e., no further change is implemented). Table 1c should provide analysis for at least one alternative approach. You should not limit yourself to one alternative, however, and can add additional charts as needed.

Report both direct and indirect costs and benefits that can be monetized in Boxes 1 and 2. Report direct and indirect costs and benefits that cannot be monetized in Box 4. See the ORM Regulatory Economic Analysis Manual for additional guidance.

Impact on Local Partners

Use this chart to describe the impact on local partners. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

Table 2: Impact on Local Partners

<p>(1) Direct & Indirect Costs & Benefits (Monetized)</p>	<p><u>Direct Costs:</u> Local health department offices are authorized to (i) accept home birth registrations, (ii) accept late or delayed birth registrations made within seven years of the date of birth, (iii) accept foundling birth registrations; (iv) death registrations (for local deaths only), (v) submit birth and death registrations to the State Registrar, (vi) issue out-of-state transit permits, (vii) file disinterment permits, and (viii) issue certified copies of vital record certificates. Birth and death registrations vary each year by location and number of registrations.</p> <p>City, county, deputy, and special registrars are authorized to execute these actions at local health department locations. The cost of time and staffing is variable depending on the location of the local health department office, whether the location is state or locally administered, the number of service requests, and the number of staff available to assist with service needs at the location.</p> <p><u>Direct Benefits:</u> Under a current revenue share agreement between local health departments and the system of vital records, state-administered local health departments retain 100% of death certificate issuance fee revenue, and 65% of fee revenue from the issuance of birth, marriage, and divorce records. Locally-administered local health departments retain all issuance fee revenue for certificate issuance. The revenue generated from issuance fees that are directed to local health departments is used to fund public programs and services within each health district.</p> <p>The Virginia Department of Motor Vehicles (DMV) is also authorized to issue vital record certificates and directs all issuance fee revenue to the system of vital records. The Code authorizes an additional \$2.00 service fee to be applied to each copy of a vital record issued by the DMV. All service fee revenue is directed to the DMV to cover costs (staff, time, supplies) related to vital record issuance.</p> <p><u>Indirect Costs:</u> There are no indirect costs to local partners.</p> <p><u>Indirect Benefits:</u> Local health departments are not currently authorized by statute or regulation to amend vital records or collect the administrative fee for amendment. Staff are better able to attend to the daily service, operational, and business needs of local health department offices. Monetized benefits vary per local health department location, as each location has different (i) total staff counts; (ii) salaried/classified, wage, and contracted employees, and (iii) service level needs.</p>
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(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	<p>(a) Local health departments provided 2.04% (\$141,149.23) in issuance fee revenue to the system of vital records in FY2023. This cost applies to state-administered local health departments under the current revenue share agreement.</p>	<p>(b) Regardless of administration type, in FY2023, local health departments issued 582,519 copies of vital records with a total issuance fee revenue collection of \$6,919,080.00.</p> <p>(c) Regardless of administration type, local health departments retained 97.96% (\$6,777,930.77) of FY2023 total fee revenue from issuance at local health department locations.</p> <p>(d) There were 149,712 issuance requests processed by the Virginia Department of Motor Vehicles in FY2023, resulting in \$299,424.00 in service fee revenue directed to the Virginia Department of Motor Vehicles.</p> <p>(e) \$1,796,544.00 in issuance fee revenue from the Virginia Department of Motor Vehicles was directed to the system of vital records in FY2023.</p> <p>(f) In FY2023, the Office of Vital Records generated \$2,777,770.87 in issuance fee revenue.</p> <p>(g) The total amount of fee revenue directed to the system of vital records in FY2023 was \$3,957,019.52. This accounts for administrative fees, and fees resulting from vital record issuance by local health department offices, the Virginia Department of Motor Vehicles, and the Office of Vital Records.</p>

<p>(3) Other Costs & Benefits (Non-Monetized)</p>	<p>(a) Acceptance of birth and death registration by local health departments and submission of vital event registrations to the State Registrar for certification facilitates timely and accurate reporting of vital statistics for the Commonwealth.</p> <p>(b) The provision of multi-site locations to submit registration of certain vital events, and the issuance of certified copies of vital records has the following benefits for registrants, families, legal representatives, and Virginians:</p> <ul style="list-style-type: none"> • It allows customers who do not physically reside near the Office of Vital Records a location for in-person services and assistance; and • It provides customers without internet access a physical location for registration or issuance services.
<p>(4) Assistance</p>	<p>As described above, local health departments and the DMV do retain a portion of the fee revenue collected for certain actions.</p>
<p>(5) Information Sources</p>	<p>1. Fee collection and revenue data were obtained from two sources (i) the Virginia Vital Events Screening Tracking System (VVESTS), which reflects administrative fee amounts collected at the time amendments are processed, and (ii) fiscal data, which reflects issuance fee revenue deposited into the special fund pursuant to § 32.1-273 of the Code of Virginia for purposes of carrying out the provisions of Title 32.1 Chapter 7 (§ 32.1-249 et seq.) of the Code of Virginia.</p> <p>2. The system of vital records is revenue-based. The Code of Virginia authorizes the Board of Health to charge an issuance fee for a copy of a vital record. The maximum issuance fee amount is \$12.00:</p> <ul style="list-style-type: none"> • § 32.1-273(A) of the Code of Virginia; and • 12VAC5-550-520(B). <p>3. The revenue share agreement between local health departments and the system of vital records has been in place since July 1, 2004:</p> <ul style="list-style-type: none"> • Chapter 1, Item 290 of the 2023 Acts of Assembly, Special Session I; • § 32.1-273(D) of the Code of Virginia. <p>4. Actions authorized for city and county registrars (local health departments):</p> <ul style="list-style-type: none"> • § 32.1-31 of the Code of Virginia: operation of local health department under contract with Board, local health services advisory boards, department health departments. • § 32.1-252(B) of the Code of Virginia: delegation of duties by State Registrar;

	<ul style="list-style-type: none"> • § 32.1-254 of the Code of Virginia: designation of county and city registrars, deputies, special registrars; • § 32.1-255 of the Code of Virginia: duties of county, city, and special registrars and deputies; • § 32.1-258(A) of the Code of Virginia: reporting and birth registration of foundling child; • § 32.1-265(B)(E) of the Code of Virginia: transit permits, permits for disinterment and reinterment; • § 32.1-271(E)(F)(G) of the Code of Virginia: disclosure of information in records; • § 32.1-272(A)(D) of the Code of Virginia: certified copies of vital records and other copies; • § 32.1-275) of the Code of Virginia: information furnished on demand; • 12VAC5-550-170: out- of-state transit permit issuance; • 12VAC5-550-200: reporting periods; • 12VAC5-550-250: late and delayed birth registrations; • 12VAC5-550-400: out-of-state transit permits; • 12VAC5-550-410: Emergency cases, filing death certificates elsewhere; • 12VAC5-550-430: disinterment permits; • 12VAC5-550-470: individual issuance requests; • 12VAC5-550-480: research requests for vital information; and • 12VAC5-550-490: official requests for vital information. <p>5. The Department of Motor Vehicles is authorized to issue certified copies of vital records, and apply an additional \$2.00 service fee that the Department retains:</p> <ul style="list-style-type: none"> • § 46.2-205.2 of the Code of Virginia; • § 32.1-273(D) of the Code of Virginia.

Impacts on Families

Use this chart to describe the impact on families. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

Table 3: Impact on Families

(1) Direct & Indirect Costs & Benefits (Monetized)	Direct Costs: The direct cost to Virginians, out-of-state registrants, and families is \$12.00 per vital record copy and \$10.00 per vital record amendment request form.
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	<p>Indirect Costs: Legal fees for court orders or attorney retention and/or service fees for administrative assistance by outside parties vary widely. The Virginia Department of Health is unable to calculate these costs.</p> <p>Direct Benefits: The administrative fee applies per amendment request form, rather than the number of amendments requested at one time. Families save \$10.00 per amendment that is requested on each form if a form includes more than one amendment request.</p> <p>Indirect Benefits: There are no indirect benefits to families.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	<p>(a) The current fee schedule charges a \$10.00 administrative fee per amendment request form and a \$12.00 issuance fee for each copy of a vital record issued.</p> <p>(b) An additional \$2.00 service is applied to issuance requests made through the Virginia Department of Motor Vehicles.</p>	<p>(c) 11,602 vital record amendment requests were received in FY2023.</p> <p>(d) \$116,019.42 in administrative fee revenue for vital record amendment was directed to the system of vital records in FY2023.</p>
(3) Other Costs & Benefits (Non-Monetized)	<p>(a) There is no cost to families to register a vital event in the Commonwealth. The applicable costs are to amend or receive a copy of a vital record.</p> <p>(b) Virginians, registrants, and their families benefit by having an established vital record system providing registration, issuance, and amendment services.</p> <p>(c) Vital records are required for access to public services, certain benefits, healthcare, identification documents, education, and other social and governmental programs and services.</p> <p>(d) Fee revenue directed to the system of vital records:</p> <ul style="list-style-type: none"> • Helps maintain, govern, protect, and administer the system of vital records as a public service; • Funds automation processes to decrease processing timeframes for vital event registration, certification, amendment, and issuance; • Enhances vital record systems and services, such as the creation of the Virginia Vital Event Screening and Tracking system, the implementation of online applications, and the ability to accept online payments. 	

(4) Information Sources	<p>1. Fee collection and revenue data were obtained from two sources the Virginia Vital Events Screening Tracking System (VVESTS), which reflects administrative fee amounts collected at the time amendments are processed.</p> <p>2. The Code of Virginia authorizes the Board of Health to charge an issuance fee for a copy of a vital record. The maximum issuance fee amount is \$12.00:</p> <ul style="list-style-type: none"> • § 32.1-273(A) of the Code of Virginia; and • 12VAC5-550-520(B) <p>3. The administrative fee to amend a vital record is \$10.00.</p> <ul style="list-style-type: none"> • 12VAC5-550-520(B)
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Impacts on Small Businesses

Use this chart to describe the impact on small businesses. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

Table 4: Impact on Small Businesses

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>Direct Costs: There are no direct costs to small businesses.</p> <p>Indirect Costs: There are no indirect costs to small businesses.</p> <p>Direct Benefits: There are no direct benefits to small businesses.</p> <p>Indirect Benefits: There are no indirect benefits to small businesses.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) N/A	(b) N/A
(3) Other Costs & Benefits (Non-Monetized)	There are no other non-monetized costs or benefits.	
(4) Alternatives	N/A	
(5) Information Sources	N/A	