

**TITLE 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 10—Office of the Director
Chapter 10—Vital Records**

PROPOSED AMENDMENT

19 CSR 10-10.030 Filing a Delayed Birth Certificate. The department is amending the purpose statement, deleting sections (1) and (2), adding sections (1) through (5), incorporating by reference the Application/Certificate to Record a Birth After Twelfth Birthday and form CV310 Petition for Establishing Record of Birth After 12th Birthday, and deleting the Application to Record a Birth After Twelfth Birthday which follows the rule in the *Code of State Regulations*.

PURPOSE: [This rule sets up a procedure for filing delayed birth certificates.] This rule establishes procedures for registering a birth certificate for an individual when a birth certificate is not registered within the prescribed time period and establishes the delayed birth certificate form to be registered with the Department of Health and Senior Services for each birth occurring in this state.

[(1) The following is the procedure for filing a delayed birth certificate for a child before s/he reaches his/her twelfth birthday:

- (A) The child must be born in Missouri;*
- (B) There must be no prior certificate on file in the Bureau of Vital Records which can reasonably be presumed to belong to the child; and*
- (C) The registration shall be on current certificates of live birth. The basic procedure shall be as nearly as practicable the same as for filing a current live birth certificate.*

(2) The following is the procedure for filing a delayed birth certificate for a person who has passed his/her twelfth birthday: The attached four (4)-page form entitled Application to Record a Birth After Twelfth Birthday shall be used in accordance with the instructions contained in the form.]

(1) No delayed certificate of live birth shall be registered for a deceased individual.

(2) All delayed certificates of live birth shall be processed and registered only at the State Bureau of Vital Records.

(3) For an individual born in Missouri for whom no prior birth certificate is on file with the Bureau of Vital Records which can be reasonably presumed to belong to the individual, the following procedures shall be used to apply for a delayed certificate of live birth:

(A) Before an individual's twelfth birthday, the registration of live birth shall be on a certificate of live birth form as described in 19 CSR 10-10.040. The basic procedure shall be as nearly as practicable the same as for registering a current certificate of live birth. Out of hospital or institution births may require proof of pregnancy and proof of presence in Missouri prior to registration.

(B) After an individual's twelfth's birthday, the registrant or registrant's parent(s) shall complete the Application/Certificate to Record Birth After Twelfth Birthday in accordance with the instructions contained in the application. The Application/Certificate to Record

Birth After Twelfth Birthday as published on March 2024 by Missouri Department of Health and Senior Services is incorporated by reference in this rule and may be obtained at Missouri Department of Health and Senior Services, Bureau of Vital Records, 930 Wildwood Drive, Jefferson City, MO 65109 or www.health.mo.gov. This rule does not incorporate any subsequent amendments or additions.

(4) If a delayed certificate of live birth is rejected under the provisions of section 193.105, RSMo, registrant may file a petition, as prescribed in section 193.115, RSMo, with a court of competent jurisdiction for an order establishing a record of the full name, date and place of birth, and the parentage of the individual whose birth is to be registered. Registrant(s) shall complete form CV310 Petition for Establishing Record of Birth After 12th Birthday as published on July 2024 by the State Judicial Review Committee, which is incorporated by reference in this rule and may be obtained at www.courts.mo.gov. This rule does not incorporate any subsequent amendments or additions.

(5) A court order shall be required to amend a delayed certificate of birth once the certificate of live birth has been established.

AUTHORITY: sections 193.035, 193.105, and 193.115, RSMo [Supp. 1998]2016. This rule was previously filed as 13 CSR 50-150.030 and 19 CSR 30-10.020. Original rule filed Sept. 6, 1955, effective Sept. 16, 1955. Changed to 19 CSR 10-10.010 July 30, 1998. Amended: Filed March 12, 1999, effective Sept. 30, 1999. Amended: Filed October 4, 2024.*

**Original authority: 193.035, RSMo 1984, amended 1993, 1995.*

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition of this proposed amendment with the Missouri Department of Health and Senior Services, Bureau of Vital Records, Dylan Bryant, State Registrar, PO Box 570, Jefferson City, MO 65102, or via e-mail at Dylan.Bryant@health.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*