290-1-3-.05 Registration of Out of Institution Births.

(1) In any case where a birth occurs outside a hospital, or other recognized medical facility, without medical attendance and the birth certificate is filed by someone other than a health care provider, additional evidence in support of the facts of birth shall be completed and filed in the presence of the local Vital Records registrar in the county where the birth occurred. A birth certificate for a birth which occurs outside a recognized medical institution shall only be filed upon personal presentation of the following evidence by the individual(s) filing the certificate:
(a) Proof of pregnancy:
1. Prenatal records; or
2. Statement from a physician or other licensed health care provider who is qualified to determine pregnancy; or
3. Prenatal blood analysis or positive pregnancy test results from a laboratory.
(b) Proof of the mother's residence on the date of the out of institution birth:
1. A valid driver's license, or a state-issued identification card, which includes the mother's current residence on the face of the license or card; or
2. A rent receipt which includes the mother's name and address, and the name, address, and signature of the mother's landlord.
(c) An identifying document, with photograph, for the individual(s) personally presenting the evidence required to file the certificate.
(d) Affidavits:
1. At least two affidavits signed by persons present or in attendance at the birth, eighteen years or older; or
2. A signed affidavit from a licensed physician describing his or her knowledge of the mother prior to birth, and his or her knowledge of the newborn resulting from his or her first examination of the infant.
(2) At the discretion of the State Registrar, the procedures contained in these Regulations may be supplemented with additional requirements which maybe needed to verify the facts of birth. Such additional requirements may include, but are not limited to:
(a) Supplemental information; or
(b) A home visit by a public health nurse or other health professional.
(3) The pregnant woman may appear in person before the local registrar, prior to giving birth to "pre-register" the birth. Completion of the birth certificate after the birth occurs is required before the birth shall be registered.
(4) If the required evidence is not available and the registrar is unable to verify the facts of the birth, the out of institution birth may be registered only by order of a court of competent jurisdiction.

Authority Ga. L. 1982, pp. 723, 755; O.C.G.A. Secs. 31-2-4, 31-10-3, 31-10-9. **History.** Original Rule entitled "Correction of Records" was filed on January 30, 1974; effective February 19, 1974. **Amended:** Rule repealed and a new Rule entitled "Registration of Birth" adopted. Filed May 18, 1983; effective June 17, 1983, as specified by he Agency. **Repealed:** New Rule entitled "Registration of Out of Institution Births" adopted. F. Feb. 23, 1993; eff. Mar. 15, 1993.