

AN ACT
TO PROVIDE FOR THE IMMEDIATE
REGISTRATION
OF
ALL BIRTHS AND DEATHS
IN THE
STATE OF ARIZONA

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ARIZONA STATE BOARD OF HEALTH
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AN ACT

To Provide for the Registration of Births and Deaths and the issuance of Burial and Removal Permits, and the Registration of Vital Statistics Throughout the State.

Be it Enacted by the Legislature of the State of Arizona:

CHAPTER II.

VITAL STATISTICS.

Sec. 1. The State board of health shall have charge of registration of birth and deaths; to prepare the necessary methods, forms and blanks for obtaining and preserving such records and to insure the faithful registration of the same in the townships, cities, counties and in the central bureau of vital statistics at the office of the secretary of the State board of health. The said board shall be charged with the uniform and thorough enforcement of the law throughout the State, and shall from time to time, promulgate any additional forms and amendments that may be necessary for this purpose.

Sec. 2. The several county boards of health in this State shall have charge of the registration of births and deaths within their respective counties and shall be charged with the uniform and thorough enforcement of the law throughout their respective counties subject to the supervisory control of the State board of health and the State Registrar of vital statistics.

Sec. 3. The secretary of the State board of health shall have general supervision over the central bureau of vital statistics, which is hereby authorized to be established by said board, and shall be the State Registrar of vital statistics.

He shall receive an annual salary at the rate of one thousand dollars from the date of the taking effect of this law, to be paid in equal installments at the end of every three months, in addition to his salary as State superintendent of public

health. He shall also be allowed annually a sum not to exceed twenty-five hundred dollars for the purchase of official books, records, files, certificates, and papers, and for other necessary expense that may be incurred in the proper conduct of the office. Suitable fire proof vault and filing cases for the permanent and safe preservation of all official records made and returned under this chapter shall be provided by the custodian of the Capitol for the bureau of vital statistics in the State Capitol.

The accounts of the state registrar of vital statistics shall be audited by the state board of health and the same, together with his salary, shall be paid out of the State treasury.

Sec. 4. For the purpose of this chapter the State shall be divided into registration districts as follows: Each city and incorporated town shall constitute a primary registration district; and for that portion of each county outside of the cities and incorporated towns therein the several county boards of health shall define and designate the boundaries of a sufficient number of rural registration districts, which they may change from time to time as may be necessary to insure the convenience and completeness of registration.

Sec. 5. The secretary of each county board of health in the State shall be county registrar of vital statistics for that county and within thirty days after the taking effect of this chapter, or as soon thereafter as possible, each county board of health shall appoint a local registrar of vital statistics for each registration district in that county, and the county registrar shall immediately report the names and addresses of such local registrars to the State registrar of vital statistics. The term of office of local registrars, appointed by said boards shall be for two years, beginning with the first day of January of the year in which this chapter shall take effect, and their successors shall be appointed at least ten days before the expiration of their terms of office; provided, that in cities where health officers or other officials are conducting

effective registration of births and deaths under local ordinances at the time of the taking effect of this chapter, such officials shall be appointed as local registrars in and for such cities, and shall be subject to the rules and regulations of the State registrar, and to all of the provisions of this chapter.

Any local registrar, appointed by said county board, who fails or neglects to discharge efficiently the duties of his office as laid down in this chapter, or who fails to make prompt and complete returns of births and deaths, as required thereby, shall be forthwith removed from his office by said county board of health, and his successor appointed, in addition to any other penalties that may be imposed, under other sections of this chapter, for failure or neglect to perform his duty.

Each local registrar appointed by said county board shall, immediately upon his acceptance of appointment as such, appoint a deputy, whose duty it shall be to act in his stead in case of absence, illness or disability, who shall in writing accept such appointment, and who shall be subject to all rules and regulations governing the action of local registrars. And when it may appear necessary for the convenience of the people in any rural district, the local registrar is hereby authorized, with the approval of the county registrar, to appoint one or more suitable persons to act as sub-registrars, who shall be authorized to receive certificates and to issue burial or removal permits in and for such portions of the district as may be designated: and each sub-registrar shall note, over his signature, the date on which each certificate was filed, and shall forward all certificates to the local registrar of the district within five days, and in all cases before the third day of the following month; provided, that all sub-registrars shall be subject to the supervision and control of the county registrar, and may be by him removed for neglect or failure to perform their duties in accordance with the provisions of this chapter or the rules and regulations of the state registrar, and they shall be liable to the same penalties for neglect of duties as the local registrar.

Sec. 6. The body of any person whose death occurs in the State shall not be interred, deposited in a vault or tomb, cremated or otherwise disposed of, or removed from or into any registration district or be temporarily held pending further disposition more than seventy-two hours after death, until a permit for burial, removal or other disposition thereof shall have been properly issued by the local registrar of the registration district in which the death occurred. And no such burial or removal permit shall be issued by any registrar until a complete and satisfactory certificate of death has been filed with him as hereinbefore provided; provided, that when a dead body is transported by common carrier into a registration district in Arizona for burial, then the transit and removal permit, issued in accordance with the law and health regulations of the place where the death occurred, when said death occurs outside of this State, shall be accepted by the local registrar of the district into which the body has been transported for burial or other disposition, as a basis upon which he shall issue a local burial permit, in the same way as if the death occurred in his district, but shall plainly enter upon the face of the burial permit the fact that it was a body shipped in for interment, and give the actual place of death; but a burial permit shall not be required from the local registrar of the district in which interment is made, when a body is removed from one district in Arizona to another in the State, for the purpose of burial or other disposition, either by common carrier, hearse, or other conveyance: and no local registrar shall, as such, require from undertakers or persons acting as undertakers any fee for the privilege of burying dead bodies.

Sec. 7. Stillborn children or those dead at birth shall be registered as births and also as deaths, and a certificate of both the birth and death shall be filed with such local registrar, in the usual form and manner, the certificate of birth to contain, in place of the name of the child, the word "still-birth." The medical certificate of the cause of death shall

be signed by the attending physician, if any, and shall state the cause of death as "stillborn," with the cause of the stillbirth, if known, whether a premature birth, and, if born prematurely, the period of uterine gestation, in months, if known; and a burial or removal permit in the usual form shall be required. Midwives shall not sign certificates of death for stillborn children; but such cases, and stillbirths occurring without attendance of either physician or midwife, shall be treated as deaths without medical attendance.

Sec. 8. The certificate of death shall contain the following items:

(1) Place of death, including state, county, township, city, the ward, street and house number. If in a hospital or other institution, the name of the same to be given instead of the street and house number. If in an industrial camp, the name of the camp to be given.

(2) Full name of decedent. If an unnamed child, the surname preceded by "unnamed."

(3) Sex.

(4) Color or race—as white, black (negro or negro descent), Indian, Chinese, Japanese, or other.

(5) Conjugal condition—as single, married, widowed or divorced.

(6) Date of birth, including the year, month and day.

(7) Age, in years, months, and days.

(8) Place of birth: state or foreign country.

(9) Name of father.

(10) Birthplace of father; state or foreign country.

(11) Maiden name of mother.

(12) Birthplace of mother; state or foreign country.

(13) Occupation. The occupation to be reported of any person who had any remunerative employment: women as well as men.

(14) Signature and address of informant.

(15) Date of death, year, month and day.

(16) State of medical attendance on decedent, fact and time of death, time last seen alive.

(17) Cause of death, including the primary and contributory causes or complications, if any, and duration of each.

(18) Signature and address of physician or official making the medical certificate.

(19) Length of residence at place of death and in state. Special information concerning deaths in hospitals and institutions, and of persons dying away from home, including the former or usual residence, and place where the disease was contracted.

(20) Place of burial or removal.

(21) Date of burial or removal.

(22) Signature and address of undertaker.

(23) Official signature of local and county registrars, with date when certificate was filed, and registered number.

The personal and statistical particulars (Items 1 to 13) shall be authenticated by the signature of the informant, who may be any competent person acquainted with the facts.

The statement of facts relating to the disposition of the body shall be signed by the undertaker or person acting as such.

The medical certificate shall be made and signed by the physician, if any, last in attendance on the deceased, who shall specify the time in attendance, the time he last saw the deceased alive and the hour of the day at which death occurred. And he shall further state the cause of death, so as to show the course of disease or sequence of causes resulting in the death, giving the primary cause, and also the contributory causes, if any, and the duration of each. Indefinite and unsatisfactory terms, including only symptoms of disease or conditions resulting from disease, will not be held sufficient for issuing a burial or removal permit; and any certificate containing only such terms as defined by the State registrar shall be returned to the physician for correction and definition. Causes of death, which may be the result of either

disease or violence, shall be carefully defined, and if from violence its nature shall be stated, and whether accidental, suicidal, or homicidal. And in case of deaths in hospitals, institutions, or away from home, the physician shall furnish the information required under this head (Item 20), and shall state where, in his opinion, the disease was contracted.

Sec. 9. In case of any death occurring without medical attendance, it shall be the duty of the undertaker to notify the local registrar of such death, and when so notified the registrar shall inform the local health officer and refer the case to him for immediate investigation and certification, prior to issuing the permit; provided, that in such isolated districts where the local registrar cannot communicate with the local health officer within six hours after such notification of death, and in such cases only, the registrar is authorized to make the certificate and return from the statement of relatives or other persons having adequate knowledge of the facts; provided, further, that if the death was caused by unlawful or suspicious means, the registrar shall then refer the case to the coroner for his investigation and certification. And any coroner whose duty it is to hold an inquest on the body of any deceased person, and to make the certificate of death required for a burial permit, shall state in his certificate the name of the disease causing death, or the means of death; causes or violence, and whether accidental, suicidal or homicidal, as determined by the inquest; and shall, in either case, furnish such information as may be required by the State registrar properly to classify death.

Sec. 10. The undertaker, or person acting as undertaker, shall be responsible for obtaining and filing the certificate of death with the local registrar of the district in which the death occurred, and securing a burial or removal permit, prior to any disposition of the body. He shall obtain the personal and statistical particulars required from the person best qualified to supply them, over the signature and address of his informant. He shall then present the certificate to

the attending physician, if any, or to the health officer or coroner, as directed by the local registrar, for the medical certificate of the cause of death and other particulars necessary to complete the record as specified in the preceding section. And he shall then state the facts required relative to the date and place of burial, over his signature and with his address, and present the completed certificate to the local registrar, who will issue a permit for burial, removal or other disposition of the body. The undertaker shall deliver the burial permit to the sexton, or person in charge of the place of burial, before interring or otherwise disposing of the body; or shall attach the transit permit containing the registration removal permit to the box containing the corpse, when shipped by any transportation company; said permit to accompany the corpse to its destination, where, if within the State of Arizona, it shall be delivered to the sexton or to other person in charge of the place of burial.

Sec. 11. If the interment, or other disposal of the body is to be made within this State, the wording of the burial permit may be limited to a statement by the registrar, and over his signature that a satisfactory certificate of death having been filed with him, as required by law, permission is granted to inter, remove, or otherwise dispose of the deceased, stating the name, age, sex, cause of death and other necessary details upon the form prescribed by the State registrar.

Sec. 12. No sexton or person in charge of any premises in which interments are made shall inter or permit the interment or other disposal of any body unless it is accompanied by a burial, removal or transit permit, as herein provided. And each sexton or person in charge of any burial ground, shall, indorse upon the permit the date of interment, over his signature, and shall return all permits so indorsed to the local registrar of his district within five days from the date of interment, or within the time fixed by the local board of health. He shall also keep a record of all interments made in the premises under his charge, stating the name of the

deceased person, place of death, date of burial, and name and address of the undertaker: which record shall at all times be open to public inspection.

Sec. 13. All births that occur in this State shall be immediately registered in the districts in which they occur, as hereinafter provided.

Sec. 14. It shall be the duty of the attending physician or midwife to file a certificate of birth, properly and completely filled out, giving all the particulars required by this chapter, with the local registrar of the district in which the birth occurred, within five days after the date of birth. And if there be no attending physician or midwife, then it shall be the duty of the father or mother of the child, householder or owner of the premises, manager or superintendent of public or private institutions in which the birth occurred, to notify the local registrar within five days after the birth, of the fact of such a birth having occurred. It shall then, in such case, be the duty of the local registrar to secure the necessary information and signature to make a proper certificate of birth; provided, that in cities the certificate of birth shall be filed at a less interval than five days after birth, if so required by municipal ordinance now in force or that may hereafter be enacted.

Sec. 15. The certificate of birth shall contain the following items:

(1) Place of birth, including state, county, township or town, village or city. If in a city, the ward, street, and house number; if in a hospital or other institution, the name of the same to be given, instead of the street and house number.

(2) Full name of child. If the child dies without a name, before the certificate is filed, enter the words, "died unnamed." If the child has not yet been named at the date of filing the certificate of birth, the space for "full name of child" is to be left blank, to be filled out subsequently by a supplemental report, as hereinafter provided.

(3) Sex of child.

(4) Whether a twin, triplet, or other plural birth. A separate certificate shall be required for each child in case of plural birth, giving number of child in order of birth.

(5) Whether legitimate or illegitimate.

(6) Full name of father.

(7) Residence of father.

(8) Color or race of father.

(9) Birthplace of father; state or foreign country.

(10) Age of father at last birthday, in years.

(11) Occupation of father.

(12) Maiden name of mother.

(13) Residence of mother.

(14) Color or race of mother.

(15) Birthplace of mother; state or foreign country.

(16) Age of mother at last birthday, in years.

(17) Occupation of mother.

(18) Number of child of this mother, and number of children of this mother now living.

(19) Born at full term?

(20) The certificate of attending physician or midwife as to attendance at birth, including statement of year, month, day and hour of birth, and whether the child was alive or dead at birth. This certificate shall be signed by the attending physician or midwife, with date of signature and address; if there is no physician or midwife in attendance, then the father or mother of the child, household or owner of the premises, or manager or superintendent of public or private institution, or other competent person whose duty it shall be to notify the local registrar of such birth, as required by section 14 of this chapter.

(21) Exact date of filing in office of local registrar, attested by his official signature, and registered number of birth, as hereinafter provided.

All certificates, either of birth or death shall be written legibly, in writing or by typewriting, in unfading black ink, and no certificate shall be held to be complete and correct

that does not supply all of the items of information called for herein, or satisfactorily account for their omission.

Sec. 16. When any certificate of birth of a living child is presented without the statement of the given name, then the local registrar shall make out and deliver to the parents of the child a special blank for the supplemental report of the given name of the child, which shall be filled out as directed and returned to the local registrar as soon as the child shall have been named.

Sec. 17. Every physician, midwife and undertaker shall, without delay, register his or her name, address and occupation with the local registrar of the district in which he or she resides, or may hereafter establish a residence; and shall thereupon be supplied by the local registrar with a copy of this chapter, together with such rules and regulations as may be prepared by the State registrar relative to its enforcement. Within thirty days after the close of each calendar year each local registrar shall make a return to the respective county registrar of all physicians, midwives or undertakers who shall have been registered in his district during the whole or any part of the preceding calendar year; and within ten days thereafter, each county registrar shall forward a copy of such list to the State registrar; provided: that no fee or other compensation shall be charged by local registrars to physicians, midwives or undertakers for registering their names under this chapter or making returns thereof to the county registrar.

Sec. 18. All superintendents or managers, or other persons in charge of hospitals, alms-houses, lying-in or other institutions, public or private, to which persons resort for treatment of disease, confinement, or are committed by process of law, are hereby required to make a record of all the personal and statistical particulars relative to the inmates in their institutions at the date of approval of this chapter, that are required in the forms of the certificates provided for by this chapter, as directed by the State registrar; and thereafter

such record shall be, by them, made for all future inmates at the time of their admission. And in cases of persons admitted or committed for medical treatment of disease, the physician in charge shall specify for entry in the record, the nature of the disease, and where, in his opinion, it was contracted. The personal particulars and information required by this chapter shall be obtained from the individual himself if it is practicable to do so; and when they cannot be so obtained, they shall be secured in as complete a manner as possible from relatives, friends, or other persons acquainted with the facts.

Sec. 19. The State registrar shall prepare, print and supply to all county registrars all blanks and forms used in registering, recording, and preserving the returns, or in otherwise carrying out the purposes of this chapter; and shall prepare and issue such detailed instructions as may be required to secure the uniform observance of its provisions and the maintenance of a perfect system of registration. No other blanks shall be used than those supplied by the State registrar. He shall carefully examine the certificates received monthly from the county registrars, and if any such are incomplete or unsatisfactory he shall require such further information to be furnished as may be necessary to make the record complete and satisfactory. And all physicians, midwives, informants or undertakers connected with any case, and all other persons having knowledge of the facts are hereby required to furnish such information as they may possess regarding any birth or death upon demand of the State registrar, in person, by mail, or through the local county registrar. He shall further arrange, bind and permanently preserve the certificates in a systematic manner, and shall prepare and maintain a comprehensive and continuous card index of all births and deaths registered; the cards to show the name of child or deceased, place and date of birth or death, number of certificate, and the volume in which it is contained. He shall inform all registrars what diseases are

to be considered as infectious, contagious, or communicable and dangerous to the public health, as decided by the State board of health, in order that when deaths occur from such diseases proper precautions may be taken to prevent the spreading of dangerous diseases.

Sec. 20. It shall be the duty of the county registrars to supply blank forms of certificates and such instructions as are supplied to him by the State registrar to all local registrars in their respective counties.

Each county registrar shall carefully examine each certificate of birth or death when received from the local registrars and if any such are incomplete or unsatisfactory he shall require such further information to be furnished as may be necessary to make the record complete and satisfactory.

He shall number consecutively the certificates of birth and death, in two separate series, beginning with the "number one" for the first birth and first death in each calendar year, and sign his name as registrar in attest of the date of filing in his office.

He shall also make a complete and accurate copy of each birth and death certificate registered by him to be kept and permanently preserved in his office as the local record of such birth and death in such manner as directed by the State registrar, and he shall, on the tenth day of each month, transmit to the State registrar all original certificates registered by him during the preceding month.

Sec. 21. It shall be the duty of the local registrars to supply blank forms of certificates to such persons as require them. Each local registrar shall carefully examine each certificate of birth and death when presented for record, to see that it has been made out in accordance with the provisions of this chapter and the instructions of the State registrar; and if any certificate of death is incomplete or unsatisfactory, it shall be his duty to call attention to the defects in the returns and to withhold issuing the burial or removal permit until they are corrected. If the certificate is properly exc-

cuted and complete, he shall then issue a burial or removal permit to the undertaker; provided, that in case the death occurred from some disease that is held by the State board of health to be infectious, contagious, or communicable and dangerous to the public health, no permit for the removal or other disposition of the body shall be granted by the registrar except under such conditions as may be prescribed by the State board of Health. If a certificate of birth is incomplete, he shall immediately notify the informant, and require him to supply the missing items if they can be obtained. He shall immediately transmit all original certificates to the county registrar of his county. And if no births or deaths occurred in any month, he shall, on the fifth day of the following month, report that fact to the county registrar, on a card provided for that purpose.

Sec. 22. Each county registrar shall receive, in addition to his salary as county superintendent of health the sum of three hundred dollars per annum, which shall be paid as other county expenses are paid.

Sec. 23. The state registrar shall, upon request, furnish any applicant a certified copy of the record of any birth or death registered under provisions of this chapter, for the making and certification of which he shall be entitled to a fee of fifty cents, to be paid by the applicant. And any such copy of the record of a birth or death, when properly certified by the state registrar to be a true copy thereof, shall be prima facie evidence in all courts and places of the facts therein stated. For any search of the files and records when no certified copy is made, the state registrar shall be entitled to a fee of fifty cents for each hour or fractional part of an hour of time of search, to be paid by the applicant. And the state registrar shall keep a true and correct amount of all fees by him received under these provisions, and turn the same over to the state treasurer.

Sec. 24. If any physician who was in medical attendance upon any deceased person at the time of death shall neglect

or refuse to make out and deliver to the undertaker, sexton, or other person in charge of the interment, removal, or other disposition of the body, upon request, the medical certificate of the cause of death, hereinbefore provided for, he shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than five dollars nor more than fifty dollars. And if any physician shall knowingly make a false certification of the cause of death, in any case, he shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than fifty dollars nor more than two hundred dollars.

And any physician or midwife in attendance upon a case of confinement, or any other person charged with responsibility for reporting births, who shall neglect or refuse to file a proper certificate of birth with the local registrar within the time required by this chapter, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than five dollars nor more than fifty dollars.

And if any undertaker, sexton, or other person acting as undertaker, shall inter, remove, or otherwise dispose of the body of any deceased person, without having received a burial or removal permit as herein provided, he shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than twenty-five dollars nor more than one hundred dollars.

And any registrar, deputy registrar, or subregistrar who shall neglect or fail to enforce the provisions of this chapter in his county or district, or shall neglect or refuse to perform any of the duties imposed upon him by this chapter or by the instructions and directions of the State registrar, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than ten dollars nor more than one hundred dollars.

And any person who shall wilfully alter any certificate of birth or death, or the copy of any certificate of birth or death, on file in the office of the local registrar, shall be

deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than ten dollars nor more than one hundred dollars, or be imprisoned in the county jail not exceeding sixty days, or suffer both fine and imprisonment, in the discretion of the court.

And any other person or persons who shall violate any of the provisions of this chapter, or who shall wilfully neglect or refuse to perform any duties imposed upon them by the provisions of this chapter or shall furnish false information to a physician, undertaker, midwife, or informant, for the purpose of making incorrect certification of births or deaths, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than five dollars nor more than one hundred dollars.

And any transportation company or common carrier transporting or carrying, or accepting through its agents or employees for transportation or carriage, the body of any deceased person, without an accompanying permit issued in accordance with the provisions of this chapter, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than fifty dollars, nor more than two hundred dollars; provided, that in case the death occurred outside the State and the body is accompanied by a certificate of death, burial or removal, or transit issued in accordance with the law or board of health regulations in force when the death occurred, such death certificate, burial or removal or transit permit may be held to authorize the transportation or carriage of the body into or through the State.

Sec. 25 The local registrars are hereby charged with the strict and thorough enforcement of the provisions of this chapter in their several districts, under the supervision and direction of the county and state registrars. And they shall make an immediate report to the county registrar of any violation of this law coming to their notice by observation or upon complaint of any person, or otherwise. That county registrars are hereby charged with the thorough and efficient

execution of the provisions of this chapter in every part of their respective counties, and with supervisory power over local registrars, to the end that all of its requirements shall be uniformly complied with. And they shall make an immediate report to the State registrar of any violation of this law coming to their notice by observation or upon complaint of any person or otherwise. They shall have authority to investigate cases of irregularity or violation of law, within their respective counties, personally or by accredited representative, and all local registrars shall aid them upon request in such investigation. The State registrar is hereby charged with the thorough and efficient execution of the provisions of this chapter in every part of the State and with supervisory power over county and local registrars, to the end that all of its requirements shall be uniformly complied with. He shall have authority to investigate cases of irregularity or violation of law, personally or by accredited representative, and all registrars shall aid him, upon request, in such investigations. When he shall deem it necessary, he shall report cases of violation of any of the provisions of this chapter to the county attorney of the county with a statement of the facts and circumstances; and when any such case is reported to him by the state registrar, the county attorney shall forthwith initiate and promptly follow up the necessary court proceedings against the parties responsible for the alleged violations of the law. And upon request of the state registrar, the attorney general shall likewise assist in the enforcement of the provisions of this chapter.

Sec. 26. All acts and parts of acts in conflict with the provisions of this act are hereby repealed.

Sec. 27. This act shall take effect and be in force from and after the first day of October, 1913.

Approved April 29th, 1913.