

**TITLE 1: GOVERNMENT
DIVISION 2: EXECUTIVE BRANCH**

§ 26020. Disclosure of Information from Vital Records or Vital Reports.

In accordance with Section 26023 of this Act and the regulations adopted pursuant thereto:

(a) To protect the integrity of vital records or vital reports, to ensure their proper use, and to ensure the efficient and proper administration of the system of vital statistics, it shall be unlawful for any person to permit inspection of, or to disclose information contained in vital records or in vital reports or to copy or issue a copy of all or part of any such record or report unless authorized by this Act or by regulation or by order of the CNMI Superior Court. Regulations adopted under this section shall provide for adequate standards of security and confidentiality of vital records.

(b) Disclosure of information which may identify any person named in any vital record or report may be made only pursuant to regulations which require submission of written requests for information by researchers and execution of research agreements that protect the confidentiality of the information provided. Such agreements shall prohibit the release by the researcher of any information that might identify any person other than releases that may be provided for in the agreement. For purposes of this Act, research means a systematic investigation designed primarily to develop or contribute to generalizable knowledge.

(1) Nothing in this Act prohibits the release of information or data which would not identify any person named in a vital record or report.

(c) Appeals from decisions of custodians of vital records, as designated under authority of Section 26004(a), who refuse to disclose information from records as prescribed by this section and regulations issued hereunder, shall be made to the Secretary of the Department of Public Health whose decisions shall be binding upon such custodians.

(d) When 100 years have elapsed after the date of birth, or 50 years have elapsed after the date of death, the records of these events in the custody of the Registrar shall become available to the public to the extent it is consistent with the federal and CNMI privacy acts, and in accordance with regulations which shall provide for the continued safekeeping of the records.

(e) The federal agency responsible for national vital statistics may be furnished such copies of records, reports, or data from the system of vital statistics as it may require for national statistics. To furnish such records, reports, or data the Registrar shall enter into an agreement with the federal agency indicating the statistical or research purposes for which the records, reports, or data may be used. Such agreement will also set forth the support to be provided by the federal agency for the collection, processing, and transmission of such records, reports, or data. Upon written request of the federal agency, the Registrar may approve, in writing, additional statistical or research uses of the records, reports, or data supplied under the agreement.

(f) Federal, State, and local governmental agencies may, upon request, be furnished copies of records or data from the system of vital statistics, provided that such copies or data shall be used solely in the conduct of their official duties.

(g) The Registrar may, by agreement, transmit copies of records and other reports required by this Act to offices of vital statistics outside the CNMI when

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such records or other reports relate to residents of those jurisdictions or persons born in those jurisdictions. The agreement shall specify the statistical and administrative purposes for which the records may be used and the agreement shall further provide instructions for the proper retention and disposition of such copies. Copies received by the Health and Vital Statistics Office from offices of vital statistics in other States shall be handled in the same manner as prescribed in this section.

Source: PL 15-50, § 22, modified.

Commission Comment: The Commission changed “Section 25” in the introductory sentence above to “Section 26023” and “Section 7(a)” in subsection (c) above to “Section 26004(a)” pursuant to the authority granted by 1 CMC § 3806.