

10A NCAC 41H .0910 VITAL RECORDS AMENDMENT PROCEDURES

(a) A representative of the State Registrar shall evaluate the evidence submitted in support of any amendment of a vital record. He may accept or reject the amendment. If the amendment is rejected, he shall advise the applicant of the reasons for this action. The existence of inconsistent or conflicting evidence may be considered cause for denying any request for amendment.

(b) If a request to amend a record is rejected, the applicant may request an opportunity to meet with the State Registrar to present data in support of the requested amendment. The applicant may be represented by legal counsel.

(c) Examples of documentary evidence which may be used to support vital record amendment requests are: early school records, census records, marriage certificates, birth certificates of family members, rolls of federal or state recognized Indian tribes, baptismal records.

(d) The Head of the Vital Records Section after reviewing all the evidence, both written and oral, presented on behalf of the applicant to support a vital record amendment shall render a decision and shall inform the applicant in writing of the decision and the reasons therefor within 45 days. If the decision rendered is not in favor of the applicant, the applicant may request a hearing under the provisions of the North Carolina Administrative Procedure Act.

*History Note: Authority G.S. 130A-92(7);
Eff. November 1, 1978;
Amended Eff. December 6, 1991; January 1, 1984;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 22, 2018.*