

CHAPTER 83.

[H. B. 93.]

VITAL STATISTICS.

AN ACT to provide a system of registration of births and deaths and the method of reporting births and deaths, and for the issuance of permits for the burial, removal or transportation of bodies of deceased persons, and fixing the penalty for the violation.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. That it shall be the duty of the State Board of Health to have charge of the State system of registration of births and deaths and to prepare the necessary rules, forms and blanks for obtaining records and to insure the faithful registration of the same. The Secretary of the State Board of Health shall be *ex-officio* State Registrar and shall have general supervision over the system of vital statistics hereby authorized and shall be charged with the uniform and thorough enforcement of this law throughout the State, and shall, from time to time, recommend any additional forms and amendments that may be necessary. The State Board of Health is authorized to appoint, when necessary, an Assistant State Registrar who shall be Assistant Secretary of the State Board of Health, and to employ the necessary clerical assistants to properly record, index and classify the returns of vital statistics herein provided for.

State
Board of
Health—
duties.

Secretary
ex-officio
State
Registrar.

SEC. 2. That for the purposes of this act, the State shall be divided into registration districts as follows: Each city and incorporated town, and each county exclusive of the portion included within cities and incorporated towns, shall constitute a primary registration district.

Registra-
tion dis-
tricts.

SEC. 3. That the health officer of each county and of each city or incorporated town, shall be the local registrar in and for such primary registration district, and shall perform all such duties of local registrar as hereinafter provided. Each local registrar shall immediately appoint in writing a deputy who shall be authorized to act in his

Local
registrars.

stead in case of absence, death, illness or disability, and when it may appear necessary for the convenience of the people in any county, the local registrar is hereby authorized with the approval of the State Registrar to appoint one or more proper and competent persons to act as sub-registrars, who shall be authorized to receive certificates of death and to issue burial permits, removal or transportation permits in and for such portions of the county as may be designated. Each sub-registrar shall note in legible writing over his signature the date each certificate of death was filed, and shall forthwith forward the certificate to the local registrar of the county, and in all cases before the fifth day of the following month: *Provided*, That all sub-registrars shall be subject to the supervision and control of the State Registrar of vital statistics.

Burial
permits.

SEC. 4. That the body or remains of no person whose death occurs in the State, shall be interred, deposited in a vault, grave or tomb, cremated, disinterred or otherwise disposed of, or removed from or into any registration district until a permit for burial, disinterment or removal 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 local registrar until a complete and satisfactory certificate and return of death has been filed with him, as hereinafter required: *Provided*, That in case of any death outside of the State, where the body is accompanied by a removal or transit permit issued in accordance with the law and the health regulations in force where the death occurred, such removal or transit permit shall be accepted as of the same authority as a permit from the local registrar, when such removal or transit permit shall have indorsed thereon the written approval of the State Registrar of vital statistics, or when said State Registrar otherwise officially notifies the local registrar of his approval. But when a body is removed from a district in Washington to an adjacent or nearby district for interment, not requiring the use of a common carrier or the issuance of a transit permit, then the registrar's removal permit from the district where death occurred may be accepted as authority for burial.

SEC. 5. That stillborn children or those dead at birth shall be registered as births and also as deaths, and a certificate of both the birth and the death shall be filed with the local registrar, in the usual form and manner, the certificate of birth to contain, in place of the name of the child, the word "stillbirth." The medical certificate of the cause of death shall be signed by the attending physician or midwife, if any, and shall state the cause of death as "stillborn," with the cause of the still birth, if known, whether a premature birth, and, if born prematurely, the period of uterogestation, in months if known; and a burial or removal permit in usual form shall be required.

Stillborn children.

SEC. 6. That the certificate of death shall contain the following items:

Certificate of death—contents.

(1) Place of death; 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. If in an industrial camp, the name 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 informer.

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

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

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

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

(19) Special information concerning deaths in hospitals and institutions, and of persons dying away from home, including the former or usual residence, length of time, and place of death, 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 registrar, with date when certificate was filed, and registered number.

The personal and statistical particulars (items one to thirteen) shall be authenticated by the signature of the informer, 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 death, giving the primary and immediate causes, and also the contributory causes, if any, and the duration of each. Indefinite and unsatisfactory terms, indicating only symptoms of disease or conditions resulting from disease, will not be held as sufficient for issuing a burial or removal permit; and any certificate containing only such terms as defined by the State Registrar as indefinite and unsatisfactory 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 death in hospitals, institutions, or away from home, the physician shall furnish the information required under this head, (item nineteen), and shall state where, in his opinion, the disease was contracted.

SEC. 7. That in case of any death occurring without medical attendance it shall be the duty of the undertaker or person acting as such, to notify the local registrar of such death and if the local registrar is a qualified physician he shall, at once, investigate the circumstances of the case and from the results of such investigation make a certificate and return of death noting this fact upon the certificate: *Provided*, That if the local registrar is not a qualified physician or if the circumstances of the case render it probable that the death was caused by unlawful or suspicious means, the local registrar shall then refer the case to the coroner for investigation and certification.

Certificate
in case of
death with-
out medical
attendance.

SEC. 8. That the undertaker, or person acting as undertaker, shall be responsible for obtaining and filing the certificate of death with the local registrar, 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 informer. He shall then present the certificate to the attending physician, if any, or to the 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 section six. 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, within the time limit, if any, designated by the local board of health for the issuance of a burial or removal permit. The undertaker shall deliver the burial permit to the sexton, or person in charge of the place of burial, before interring the body; or shall attach the transit permit, containing the local registrar's removal permit, to the box containing the corpse, when shipped by any transportation company; said permit to

Duties of
under-
takers.

accompany the corpse to its destination, where, if within the State of Washington, it shall be taken up by the local registrar of the district in which interment is made, who shall issue a burial permit thereon.

Contents of
burial per-
mit.

SEC. 9. That if the interment, or other disposition of the body, is to be made within the State, the wording of the burial permit may be limited to a statement by the local 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.

Burial
grounds,
duties of
persons in
charge of.

SEC. 10. That no sexton, or person in charge of any premises in which interments are made, shall inter, or permit the interment or other disposition 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 endorsed to the local registrar of his district within ten 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.

Registra-
tion of
births.

SEC. 11. That all births that occur in the State shall be immediately registered in the districts in which they occur, as hereinafter provided.

Certificate
of birth.

SEC. 12. That it shall be the duty of the attending physician or midwife to file a certificate of birth, properly and completely filled out, giving all of the particulars required by this act, with the local registrar of the district in which the birth occurred, within ten 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 institution in which

the birth occurred, to notify the local registrar, within ten 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.

SEC. 13. That the certificate of birth shall contain the following items: Contents of certificate.

(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 the child. If the child dies without a name, before the certificate is filed enter the words "died unnamed." If the living child has not been named at the date of filing 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 a case of plural birth, giving the 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.

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

(11) Occupation of father.

(12) Maiden name of mother, in full.

(13) Residence of mother.

(14) Color or race of mother.

(15) Birthplace of mother.

(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.

SEC. 14. That when any certificate of birth of a living child is presented without statement of the given name, Names of children.

then the local registrar shall make out and deliver to the informant 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 registrar as soon as the child shall be named. The original certificate of birth shall not be considered complete until the supplemental report is filed or the blank returned with the statement "died unnamed."

Registration of physicians, midwives and undertakers.

SEC. 15. That 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 act, together with such rules and regulations as may be prepared by the State Registrar relative to its enforcement. Within thirty days after October first of each year each local registrar shall make a return to the State Registrar of all physicians and midwives who have been registered in his district during the whole or any part of the preceding calendar year: *Provided*, That no fee or other compensation shall be charged by local registrars to physicians, midwives, or undertakers for registering their names under this section or making returns thereof to the State Registrar.

Hospital records.

SEC. 16. That all superintendents or managers, or other persons in charge of hospitals, almshouses, 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 act, that are required in the form of the certificate provided for by this act, 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 case of persons admitted or committed for medical treatment of contagious 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

section shall be obtained from the individual himself, if it is practicable to do so; and when they can not be so obtained, they shall be secured in as complete a manner as possible from the relatives, friends, or other persons acquainted with the facts.

SEC. 17. That the State Registrar shall prepare, print and supply to all registrars all blanks and forms used in registering, recording, and preserving the returns, or in otherwise carrying out the purposes of this act; 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. And no other blanks shall be used than those supplied by the State Registrar. He shall carefully examine the certificates received monthly 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. 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 registrar. He shall furnish, 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 local registrars that [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 death occurs from such diseases, proper precautions may be taken to prevent the spreading of dangerous diseases.

Duties of
State
Registrar.

SEC. 18. That it shall be the duty of the local registrar to supply blank forms of certificates to such persons as require them. And he shall carefully examine each certificate of birth or death when presented for record, to

Duties of
local
registrar

see that it has been made out in accordance with the provisions of this act 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 return, and to withhold issuing the burial or removal permit until they are corrected. If the certificate of death is properly executed and complete, he shall 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 local registrar, except under such conditions as may be prescribed by the State and local boards of health. If a certificate of a birth is incomplete, he shall immediately notify the informant, and require him to supply the missing items if they can be obtained. He shall then number consecutively the certificates of birth and death, in two separate series, beginning with "number one" for the first birth and the first death in each calendar year, and sign his name as local 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, upon a form identical with the original certificate, to be filed and permanently preserved in his office as the local record of such death, in such manner as directed by the State Registrar. And he shall on or before the fifth day of each month, transmit to the State Registrar all original certificates registered by him during the preceding month. And if no births or no deaths occurred in any month, he shall, on the fifth day of the following month, report that fact to the State Registrar, on a card provided for this purpose: *Provided*, That in cities of the first class, original certificates may be retained by the local health authorities, and exact duplicates of the original certificates may be forwarded by the local registrars to the State Registrar.

Compensa-
tion.

SEC. 19. That each local registrar shall be entitled to be paid the sum of not exceeding twenty-five cents for each birth and death certificate properly and completely made

out and registered with him, and by him returned to the State Registrar on or before the fifth day of the following month, which sum shall cover and include the making out of the burial permit and the copy of the certificate to be filed and preserved in his office. And in case no births or no deaths were registered during any month, the local registrar shall be entitled to a sum not exceeding twenty-five cents for each report to that effect, promptly made in accordance with the directions of the State Registrar: *Provided, however,* That all such compensation for such services may be fixed by the board of county commissioners, city council, or other governing body of such local registration district. All accounts payable to local registrars under the provisions of this act shall be paid by the treasurer or other lawful officer, out of the funds of the registration district, upon warrants drawn by the local auditor or other proper local officer of such district, which warrants shall specify the number of certificates properly registered and reports promptly returned where no deaths are registered, with the amount due for each: *Provided, however,* That no warrant shall be issued to any local registrar where notice is previously given by the State Registrar to the auditor, city clerk, or other proper officer of such registration district that the local registrar has failed to comply with the rules and regulations of the State Board of Health and Bureau of Vital Statistics and the instructions of the State Registrar.

SEC. 20. That 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 act, 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 hour of time of search, to be paid by the applicant. And the State Registrar shall keep a true

Copies of records.

and correct account of all fees by him received under these provisions and turn the same over to the State Treasurer on the first day of January, April, July and October: *Provided*, That in cities of the first class certified copies of any birth or death may be furnished by the local health authorities. The fee for such copy or search of record to be the same as herein provided, and all such fees shall be paid into the treasury of said cities.

Penalties.

SEC. 21. That 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 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 certificate 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.

Any physician or midwife in attendance upon a case of confinement, or any other person charged with responsibility for reporting births, in the order named in section thirteen of this act, who shall neglect or refuse to file a proper certificate of birth with the local registrar, within the time required by this act, 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 dollars, nor more than one hundred dollars.

And any local registrar, deputy local registrar, or sub-registrar who shall neglect or fail to enforce the provisions of this act in his district, or shall neglect or refuse to perform any of the duties imposed upon him by this act 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 be removed from office.

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 any 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 act, or shall wilfully neglect or refuse to perform any duties imposed upon them by the provisions of this act, 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 act, 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 permit issued in accordance with the law or board of health regulations in force where the death occurred and approved by the Washington State Board of Health, such death certificate, burial or removal permit may be held to authorize the transportation or carriage of the body into or through the State.

SEC. 22. The local registrars are hereby charged with the strict and thorough enforcement of the provisions of this act in their districts, under the supervision and direction of the State Registrar. And they shall make an

Enforce-
ment of act.

immediate report to the State Registrar of any violations of this law coming to their notice by observation or upon the complaint of any person, or otherwise. The State Registrar is hereby charged with the thorough and efficient execution of the provisions of this act in every part of the State, and with supervisory power over local registrars, to the end that all of the 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 local registrars shall aid him, upon request, in such investigation. When he shall deem it necessary he shall report cases of violation of any of the provisions of this act to the prosecuting attorney of the proper county with a statement of the fact and circumstances; and when any such case is reported to them by the State Registrar, all prosecuting attorneys or officials acting in such capacity shall forthwith initiate and promptly follow up the necessary court proceedings against the parties responsible for the alleged violations of law. And upon request of the State Registrar the attorney general shall likewise assist in the enforcement of the provisions of this act.

Act
effective
July 1, 1907.

SEC. 23. That this act shall take effect July first, 1907.

Passed the House February 14th, 1907.

Passed the Senate February 27th, 1907.

Approved by the Governor March 7th, 1907.