



IDAHO DEPARTMENT OF  
**HEALTH & WELFARE**

C.L. "BUTCH" OTTER – GOVERNOR  
RICHARD M. ARMSTRONG – DIRECTOR

JAMES B. AYDELOTTE – State Registrar and Bureau Chief  
BUREAU OF VITAL RECORDS AND HEALTH STATISTICS  
P.O. Box 83720  
Boise, Idaho 83720-0036  
PHONE 208-334-5980  
FAX 208-332-7260

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To Whom It May Concern:

The 2010 legislature passed [Senate Bill 1315](#) that introduces new procedures for the amendment of vital records and procedures for placing delayed vital records on file. This legislation went into effect July 1, 2010.

The birth certificate is the gold standard for establishing identity, citizenship, and benefits. It is the fundamental document that is used to produce other forms of identification such as passports and drivers' licenses. It is therefore vital that stringent processes be put in place to protect the integrity of vital records such as the birth certificate.

Prior to this statutory change, there was some confusion as to the correct process to be followed and what information is required. This change is intended to clarify that process. Idaho law stipulates that an administrative process must first be exhausted before an applicant requests assistance through the courts. In order to do this, the applicant must supply documentation to the Bureau of Vital Records and Health Statistics supporting their request. When an applicant requesting an amendment or a delayed registration is unable to supply the documentation required by law and rule, and so informs the Bureau after diligently attempting to supply the documentation, the Bureau will issue a rejection letter to the applicant. This should not be confused with a letter which only tells the applicant that further documentation is needed and requests that documentation. After the application is finally rejected, the applicant can then petition the court to establish the facts needed.

This legislation established a simple, clear process for applicants and courts to follow in making amendments to vital records or placing delayed records on file. This process is outlined in [Idaho Code Section 39-278](#) (a new section). The result will be a decrease in the workload of the courts and the bureau and will speed up the process for the petitioner. A copy of the legislation is enclosed for your convenience. If you have any questions, please contact us at the bureau at 208-334-5986.

Sincerely,

James Aydelotte  
Bureau Chief

Enclosure