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NOTICE

To: Interested Persons

Subject: Vital Statistics Proposed Rules – Fee Changes

Date: December 3, 2007

The Department of Public Health and Human Services has proposed rule changes and new rules regarding vital statistics records. One of the rules changes, 37.8.116, was proposed to provide for uniform fees between the Department and the counties for copies, certification, and file searches, and to set out how those fees would be distributed between the counties and the Department.

After considering comments we have received so far on this proposed rule, we have determined more work needs to be done to address potential conflicts in law governing the county and state functions. Consequently, the department is striking the proposed changes to 37.8.116 and will work with interested parties on an alternative resolution to:

- Clarify and define the applicability of fees and to set the fees for all vital record issuing agencies in the State as required in 50-15-111, MCA;
- Specify how the fees will be distributed between the county and the state; and
- Equalize the fees paid by a user, whether the service is provided in a county or the state Office of Vital Statistics.

Questions on the Department's decision to strike the proposed rule may be addressed to:

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