



**DEPARTMENT OF HEALTH AND HUMAN SERVICES,  
NATIONAL CENTER FOR HEALTH STATISTICS UNDER THE  
CENTER FOR DISEASE CONTROL AND PREVENTION**

**ISSUE: AMMENDMNT OF MODEL STATE VITAL STATISTICS ACT**

**POLICY DESCRIPTION:** The National Center for Health Statistics has developed a Model State Vital Statistics Act (“Model Act”) and Model State Vital Statistics Regulations to encourage uniformity among all the states. Written in 1907 and last revised in 1992, the current Model Act provides that a person’s gender on a birth certificate only be amended with proof of a surgical procedure to change the person’s gender. Additionally, the Model Act allows the State Registrar to deny amendment of the birth certificate if they have cause to question the validity of a person’s sworn statements or the minimum documentation is not provided.

**RECOMMENDATION FOR CHANGE:** We recommend that the Model Act be updated by eliminating the surgical requirement and allowing a person’s birth certificate to reflect the accurate and appropriate gender in which they live. Further, we recommend that the discretion of the State Registrar be removed from the Model Act.