



**REPORT**

**Tribal Delayed Birth Certificates Tribal Consultation Meetings**

**July 18, 2014**

**September 25, 2014**

**Prepared by Michael Allison  
Native American Liaison  
Arizona Department of Health Services**

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## **Introduction/Background**

Work on this initiative started in September 2013 when Lena Fowler, District 5 Supervisor, Coconino County brought to the state's attention the concern of the lengthy and complex process for Arizona Native American elders applying for Delayed Birth Certificates from the Arizona Department of Health Services (ADHS) Vital Records Office. Numerous meetings were held internally within ADHS and with Native American advocates including Arizona Senator Carlyle Begay, District 7, Representative Albert Hale, District 7, Lena Fowler, Navajo Tribal and Inter Tribal Council of Arizona, Inc. (ITCA) representatives.

The goals of the meetings were to work on streamlining the process to obtain Delayed Birth Certificates for Native Americans born before 1970. An agreement was reached for a two prong strategy: 1) to pursue a temporary administrative solution for 2014 through the issuance of a Substantive Policy Statement (SPS) by ADHS Director Will Humble, and 2) to pursue a permanent solution through legislative action to be pursued by Senator Begay and Representative Hale during the 2015 state legislative session.

### **7/18/14 Tribal Consultation Meeting**

The 7/18/14 meeting was held in Phoenix at the ADHS State Laboratory. Twenty-seven (27) individuals participated (in-person and by telephone), 11 of the participants were from tribal nations, 1 from ITCA, 1 from the State Legislature, 9 from ADHS, 1 from the Arizona Advisory Council on Indian Health Care, 1 from the Arizona Department of Economic Security, and 3 from Coconino County. Five tribes were represented which were the Navajo Nation, Hopi Tribe, San Carlos Apache Tribe, Gila River Indian Community and Tohono O'odham Nation. The first draft of the SPS was presented and discussed. It was agreed to have a second Tribal Consultation Meeting to review a second draft of the SPS based on input provided and to provide an opportunity for more tribal representatives to attend. (See Attachments A and B for the meeting agenda and list of attendees)

### **9/25/14 Tribal Consultation Meeting**

The 9/25/14 meeting was held at the Fairfield Inn & Suites in Midtown Phoenix. Twenty-six (26) individuals participated (in-person and by telephone), 12 of the participants were from tribal nations, 7 from ADHS, 2 from Coconino County, 1 from the Arizona Advisory Council on Indian Health Care, and 4 from Indian Health Service. Seven tribes were represented which were the Navajo Nation, White Mountain Apache Tribe, Fort Mojave Indian Tribe, Gila River Indian Community, Ak-Chin Indian Community, Pascua Yaqui Tribe, and Tohono O'odham Nation. The second draft of the SPS was presented and discussed. (See Attachment C and D for the meeting agenda and list of attendees)

Based on input provided at the 9/25/14 meeting Will Humble, Director, ADHS on 9/26/14 issued an SPS for Native Americans born before 1970. This SPS streamlined the process by accepting as the beginning source document Tribal Governmental enrollment records or other tribal records containing

the four required birth facts of: 1) full name at birth, 2) date of birth, 3) place of birth, and 4) parent's name. (See Attachment E for a copy of the Substantive Policy Statement)

### **Post Meetings Legislative Status**

State Representative Albert Hale introduced HB 2157, Native American: Delayed Birth Certificates and Senator Carlyle Begay introduced SB 1393, Delayed Birth Certificates: Native Americans in the fifty-second (2015) state legislative session.

**7/18/14  
AGENDA  
ARIZONA DEPARTMENT OF HEALTH SERVICES (ADHS)  
TRIBAL DELAYED BIRTH CERTIFICATES TRIBAL CONSULTATION MEETING**

State Laboratory Services Building  
250 North 17<sup>th</sup> Avenue  
Igloo Auditorium  
Phoenix, Arizona  
10:00am – 12:00noon

Call in Number 1-877-820-7831, Pass Code 249827

- |                   |  |
|-------------------|--|
| 10:00 – 10:30am   | Welcome, Blessing and Introductions<br>Michael Allison, Native American Liaison, ADHS  |
| 10:30 – 11:00am   | Tribal Delayed Birth Certificates Substantive Policy Statement Background Presentation<br>Will Humble, Director, ADHS<br>Jeff Bloomberg, Manager, Office of Administrative Counsel and Rules, Division of<br>Planning & Operations, ADHS |
| 11:00 – 12:00noon | Open Discussion (Tribal Input)<br>Michael Allison, Facilitator   |
| 12:00noon         | Closing Remarks, Adjournment   |

Note: Free parking is available on the first floor of the ADHS parking garage located at 151 N. 18<sup>th</sup> Avenue.

## 7/18/14 MEETING LIST OF ATTENDEES

Name	Title	Organization
Tom Ranger	Human Resources Director	Navajo Nation
Laverne Dallas	CHR Program Manager	Hopi Tribe
Justine Jimmie	Deputy Attorney General	San Carlos Apache Tribe
Virgilyn Talas	Data Research Tech	Gila River Indian Community
Maria Daley	Data Research Tech	Gila River Indian Community
Connie Blackwater-Hogg	Data Research Tech	Gila River Indian Community
Chester Antone	Tribal Council	Tohono O'odham Nation
Arthur Wilson	Tribal Council	Tohono O'odham Nation
Racheal Stoner	Tribal Council	Tohono O'odham Nation
Michael Flores	Tribal Council	Tohono O'odham Nation
Diana Manuel	Tribal Council	Tohono O'odham Nation
Alida Montiel	Health Systems Analyst	Inter Tribal Council of Arizona
Albert Hale	Representative (District 7)	AZ House of Representative
Will Humble	Director	ADHS
Michael Allison	Native American Liaison	ADHS
Celia Nahor	Office Chief VR	ADHS
Janet Mullen	Deputy Director	ADHS
Cara Christ	Deputy Director	ADHS
Jeff Bloomberg	Manager ACR	ADHS
Khaleel Hussaini	Bureau Chief	ADHS
Toni Miller	Registry Manager	ADHS
Krystal Colburn	Deputy Bureau Chief	ADHS
Kim Russell	Executive Director	Arizona Advisory Council on Indian Health Care
Mary Huyser	Tribal Relations Liaison	ADES
Lena Fowler	County Supervisor	Coconino County
Shaun Deschene	Executive Assistant	Coconino County
Matilda Perdue	Administrative Specialist	Coconino County

**9/25/14**  
**AGENDA**  
**ARIZONA DEPARTMENT OF HEALTH SERVICES (ADHS)**  
**TRIBAL DELAYED BIRTH CERTIFICATES TRIBAL CONSULTATION MEETING II**

Fairfield Inn & Suites Phoenix Midtown  
2520 N. Central Avenue  
Diamondback Conference Room  
Phoenix, Arizona  
2 – 4pm

Call in Number 1-877-820-7831, Pass Code 249827

- |               |  |
|---------------|--|
| 2:00 – 2:30pm | Welcome, Blessing, Background Summary, and Introductions<br>Michael Allison, Native American Liaison, ADHS   |
| 2:30 – 3:00pm | Revised Tribal Delayed Birth Certificates Substantive Policy Statement<br>Will Humble, Director, ADHS<br>Jeff Bloomberg, Manager, Office of Administrative Counsel and Rules, Division of<br>Planning & Operations, ADHS |
| 3:00 – 4:00pm | Open Discussion (Tribal Input)<br>Michael Allison, Facilitator   |
| 4:00pm        | Closing Remarks, Adjournment   |

## 9/25/14 MEETING LIST OF ATTENDEES

Name	Title	Organization
Tom Ranger	Human Resources Director	Navajo Nation
Charlene Hamilton	Health Authority Director	White Mountain Apache Tribe
Melinda Cruz	Enrollment Coordinator	Fort Mojave Indian Tribe
Virgilyn Talas-Santos	Data Research Tech	Gila River Indian Community
Maria Daley	Data Research Tech	Gila River Indian Community
Connie Blackwater-Hogg	Data Research Tech	Gila River Indian Community
Carole Lopez	Enrollment Specialist	Ak-Chin Indian Community
Marisela Nunez	Enrollment Director	Pascua Yaqui Tribe
Sonia Moya	Program Assistant	Pascua Yaqui Tribe
Maria Padilla	ETC Program Assistant	Pascua Yaqui Tribe
Regina Siquieros	GAA	Tohono O'odham Nation
Lanez Valisto	GAA	Tohono O'odham Nation
Will Humble	Director	ADHS
Michael Allison	Native American Liaison	ADHS
Jeff Bloomberg	Manager ACR	ADHS
Khaleel Hussaini	Bureau Chief	ADHS
Toni Miller	Birth & Death Register Manager	ADHS
Krystal Colburn	Assistant State Registrar	ADHS
Lydia Hubbard-Pourier	Tribal Contract Administrator	ADHS
Lena Fowler	County Supervisor	Coconino County
Matilda Perdue	Administrative Specialist	Coconino County
Kim Russell	Executive Director	Arizona Advisory Council on Indian Health Care
Florence Anspach	Benefits Coordinator	Indian Health Service - Whiteriver
Arnita Bones	Med. Support Assistant	Indian Health Service - Whiteriver
Rolanda Barker	Supervisor	Indian Health Service
Melissa Bonney	Med Support	Indian Health Service

ARIZONA DEPARTMENT OF HEALTH SERVICES  
 DIVISION OF PUBLIC HEALTH SERVICES  
 OFFICE OF VITAL RECORDS  
 SP-094-PHS-VRS

**Clarification of Requirements for Delayed Birth Certificate Registration for Native Americans  
 Born Before 1970**

*This substantive policy is advisory only. A substantive policy statement does not include internal procedural documents that only affect the internal procedures of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules made in accordance with the Arizona Administrative Procedure Act. If you believe that this substantive policy statement does impose additional requirements or penalties on regulated parties you may petition the agency under Arizona Revised Statutes § 41-1033 for a review of the statement.*

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The purpose of this substantive policy statement is to notify the public of the Department's interpretation of requirements in Arizona Administrative Code (A.A.C.) R9-19-207 and the documentary requirements for delayed birth registration for Native Americans born before 1970.

Arizona Revised Statute (A.R.S.) § 36-333.02(A) states that “a person authorized by this chapter may submit to the state registrar information and evidentiary documents that support the creation and registration of a delayed birth certificate” for a person who is born in this state and whose birth certificate “is not registered within one year after the date of birth.” A.R.S. § 36-333.02(B) states that the “state registrar may waive the information and evidentiary document requirements in subsection A of this section for a birth that occurred before 1970.”

Native Americans born before 1970 may obtain a delayed birth certificate by providing documentation that establishes the following birth facts:

- 1) The full name of the applicant at birth,
  - 2) The date of birth,
  - 3) The place of birth, and
  - 4) The parents' names.
1. The documentation shall include an original or certified copy of the official tribal enrollment record or other official tribal record which contains all four birth facts listed above (i.e. full name of the applicant at birth, the date of birth, the place of birth, and the parent's names) and contains the seal or other authentication from the issuing federally recognized Tribal Authority and the date of issuance , and, in addition;
  2. At least **one other document** that **independently verifies** the four birth facts listed on the official tribal enrollment record or other official tribal record. If the official tribal enrollment record is missing any of the four birth facts, two documents must be submitted relating to that missing birth fact. For example, if the official tribal enrollment record does not contain place of birth, then two documents must be submitted that verify the place of birth. The following documents commonly contain all of the required four birth facts and are accepted for verification:
    - a. Hospital or physician records of birth
    - b. Ambulatory Care Record/Clinic Record from Indian Health Service
    - c. An affidavit of facts of birth described in A.A.C. R9-19-207(B)

- d. A copy of the applicant's application for a Social Security card obtained from the Social Security Administration.
3. If the items in Sec. 2 do not contain all four birth facts, (i.e. full name of the applicant at birth, the date of birth, the place of birth, and the parent's names), other documentation which might be used to verify the missing birth facts include, but are not limited to:
    - a. U.S. census records
    - b. Probate or other court documents
    - c. A birth certificate for a child of the applicant
    - d. Permanent Census School Card
    - e. Tribal Census
    - f. Certificate of Indian Blood
    - g. Family Card from the Tribal Census Office.
    - h. Church documentation
    - i. Military Discharge or other military documentation
    - j. Marriage Licenses
    - k. Insurance policies which often identify the parents and child's name
    - l. Baptismal records
    - m. Newspaper stories which announce the birth

If documents submitted in support of an application for a delayed birth certificate registration for an individual born before 1970 do not meet these standards, the state registrar (Department Director) will review the documents submitted and determine whether or not to create and register a delayed birth.

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*Effective September 26, 2014  
Arizona Department of Health Services  
Division of Public Health Services  
1818 W. Adams Avenue  
Phoenix, AZ 85007*