Health Commissioner's Administrative Rules and Regulations

Summary

1. Genealogical Research

Uncertified copies or abstracts from records of birth, death, and marriage may be provided for genealogical research purposes subject to the restrictions specified in this summary. All requests must be submitted in writing and include payment of the applicable statutory fee. The applicant shall be required to pay the specified fee for the time spent for the search and uncertified copy of notification of no record.

2. Who is authorized to do the searching?

Record searches shall be conducted only by the following persons in the files maintained by their respective agencies:

a. authorized employees of the State Department of Health;
b. a local registrar, deputy registrar, or an authorized employee of the registrar;
c. a town or city clerk, deputy clerk, or an authorized employee of the town or city clerk.

3. What records are available?

a. No information shall be released from a record of birth which has been placed in a confidential file pursuant to Public Health Law Section 4138.

b. No information shall be released from a record of birth unless the record has been on file for at least 75 years and the person to whom the record relates is known to the applicant to be deceased.

c. No information shall be released from a record of death unless the record has been on file for at least 50 years.

d. No information shall be released from a record of marriage unless the record has been on file for at least 50 years and the parties to the marriage are known to the applicant to be deceased.

e. The time periods specified in (3B), (3C), and (3D) are waived if the applicant is a descendant or has been designated to act on behalf of a descendant of the person whose record is being requested. A descendant is a person in the direct line of descent. The applicant shall provide documentation of descendancy prior to the release of information in those instances where a waiver of the waiting period is requested. A party acting on behalf of a descendant shall further provide documentation that the descendant authorized the party to make such application.

f. All uncertified copies, abstracts, or information issued for genealogical research purposes shall be clearly marked with the statement "For Genealogical Purposes Only."

4. Genealogy Fee Schedule

Fee schedule per one spelling of name. Fee varies depending on requested number of years to be searched. Unused fees will be refunded.

1-3 years	$22.00	31-40 years	$102.00
4-10 years	$42.00	41-50 years	$122.00
11-20 years	$62.00	51-60 years	$142.00
21-30 years	$82.00	61-70 years	$162.00