

# How to Register an Out-of-Hospital Birth

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## **Congratulations to Parents**

Dear Parents:

Congratulations to you and your newborn baby!

California Department of Public Health-Vital Records (CDPH-VR) wants to help you register your baby's birth and get a birth certificate. CDPH-VR is offering this help because you did not give birth in a hospital – where hospital staff would have registered the birth. If a physician or certified nurse midwife / licensed midwife attended the birth, he or she may help you complete the worksheet available from the local Health Department.

Please read this pamphlet very carefully. It will walk you through the process of registering your baby's birth.

This pamphlet includes a worksheet that must be completed and taken to the local Health Department within 10 days of the birth.

Chief Deputy Registrar  
CDPH - Vital Records

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## Letter to Physician or Midwife

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Dear Physician or Midwife:

CDPH-VR understands you recently attended the birth of a child outside of a hospital. Health and Safety Code Section 102415 requires that you register the birth of this child with the local Health Department.

This pamphlet provides instructions on how to register the birth.

1. Please read the pamphlet carefully, complete the Worksheet for Out-of-Hospital Births, the Affidavit of Birth Information for Out-of-Hospital Births, available from the local Health Department, and gather the necessary documents related to the birth.
2. Call the local Health Department to schedule an appointment to register the birth (the phone number is on the cover of this pamphlet).
3. Share the worksheet with the parent(s) of the child prior to the registration appointment so they can help in gathering worksheet information.
4. Please advise the parents that they need to visit the local Health Department office to sign the birth certificate. Although CDPH-VR suggests that the parents sign the certificate at the time of the appointment, a separate appointment can be made to accommodate their schedule.

**The birth will not be registered until all signatures are in place.** By law, the birth certificate must be registered **within 10 days of the birth** (Health and Safety Code Section 102400). The following page provides options available for registering the birth.

Thank you for your time and help in registering the birth of this child.

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CDPH - Vital Records

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**Physicians and Midwives:** Following are different options that are available for registering the birth of the child.

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## **If you want your typed name and title on the birth certificate (but your signature will not be included)...**

**Then:**

1. Fill out the Worksheet for Out-of-Hospital Births and Affidavit of Birth Information for Out-of-Hospital Births and give them to the parents.
2. Refer the parents to the instructions in this pamphlet.
3. Instruct the parents to bring your signed Affidavit and other evidence to prove the **five facts** listed below to the local Health Department to register the birth:
  - a) Identity of parent(s)
  - b) Pregnancy of the person giving birth
  - c) Baby was born alive
  - d) Birth occurred in the county where the birth certificate is to be registered
  - e) Identity of the witness

**Note:** The signed Affidavit from a physician or midwife is sufficient evidence to prove b, d, and e, but the parents will still need to provide evidence for facts a and c.

4. Upon review and acceptance of the Affidavit, the clerk will type your name and title on the birth certificate (item 13D). However, the signature box (item 13A) will state "Unavailable."

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## **If you want your signature and typed name and title on the birth certificate...**

**Then:**

1. Fill out the Worksheet for Out-of-Hospital Births and Affidavit of Birth Information for Out-of-Hospital Births and bring them to your appointment.
2. Call the local Health Department to schedule an appointment to come in and complete your portion of the certificate.
3. Inform the parents that they need to come to the local Health Department to sign the certificate and to prove facts a and c listed above. They can come in at the same time as you, or a separate appointment can be made to accommodate their schedule.

**Note:** The signed Affidavit from a physician or midwife is sufficient evidence to prove facts b, d, and e listed above, but the parents will still need to provide evidence for facts a and c.

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## **If you do not want your signature or typed name and title on the birth certificate...**

**Then:** Refer the parents to the instructions in this pamphlet. Inform the parents that without a signature from a physician or midwife on the birth certificate, they will need to provide evidence of the five facts listed above.

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## Questions Frequently Asked by Parents

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### **Why do I need to register my baby's birth?**

You need to register your baby's birth to comply with state law. Registering the birth is the only way to create a permanent legal record of the birth. For babies not born in a hospital, California law requires the physician or midwife who attended the birth – or in the absence of a physician or midwife, either one of the parents – to register the birth of a baby born in California (Health and Safety Code Section 102415).

You also need to register the birth to obtain an official birth certificate. During your child's life, they will need an official birth certificate (certified copy) to:

- Obtain a Social Security Number
- Apply for a Driver's License
- Enroll in School
- Travel or Obtain a Passport
- Register to Participate in Sports
- Apply for Various Benefits (Social Security, Military)

Birth certificates are also valuable to establish:

- Proof of Parentage
- Inheritance Rights
- Identity
- Citizenship

***A certified copy of a birth certificate is a legal record of your child's birth. Certified copies are recognized in any court.***

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### **When should I register my baby's birth?**

***By law, you must register the birth of your baby within 10 days of the birth*** (Health and Safety Code Section 102400). There is no fee to register the birth within the first year.

Any birth registered on or after the child's first birthday must be processed by CDPH-VR as a Delayed Registration of Birth (there is a \$23 registration fee after the first year). If you cannot meet the requirements for a Delayed Registration of Birth, you will have to apply to your local Superior Court for a Court Order Delayed Registration of Birth. Out-of-hospital births are harder to register the longer you wait after the date of the birth.

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## **Who should register my baby's birth?**

When a baby is born at home or elsewhere outside a hospital, the physician or midwife who attended the birth – or in the absence of a physician or midwife, either one of the parents – is responsible for registering the birth with the local Health Department in the county where the birth occurred.

## **How can I make sure the certificate is completed correctly?**

***Please review your baby's birth certificate for accuracy before signing it.*** Never sign a blank birth certificate – the person completing it may make errors. Once the record has been registered, any corrections (such as misspellings or omissions) must be made through CDPH-VR, and a fee may be charged. The processing time for amendments can be located on the CDPH-VR website (<https://www.cdph.ca.gov/Programs/CHSI/Pages/Vital-Records-Processing-Times.aspx>).

## **What if there is an error on the birth certificate?**

After your baby's birth certificate has been registered, the original certificate (with the exception of an error in the sex field) cannot be changed. Errors can only be corrected by filing an Affidavit to Amend a Record (VS 24 form), which is available from the local Health Department or from CDPH-VR.

When accepted, the affidavit will be attached to the original certificate and will become part of the legal birth record (the birth certificate will become a multiple-page document – the original birth certificate and affidavit(s)). The original certificate is not changed.

If there is an error in the sex field on the birth certificate, contact the local Health Department for instructions on how to correct the error.

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## **What if part (or all) of my baby's name was left off the birth certificate?**

After your baby's birth certificate has been registered, the original certificate cannot be changed. If part (or all) of the baby's name was left off the birth certificate, and you want to add the baby's name, you must complete either a Supplemental Name Report – Birth (VS 107 form), or an Affidavit to Amend a Record (VS 24 form). These forms are available from the local Health Department, or from CDPH-VR.

When accepted, the application or affidavit will be attached to the original certificate and will become part of the legal birth record (the birth certificate will become a multiple-page document). The original certificate is not changed.

**Note:** If you want to change your child's name after the birth has been registered, you may need to obtain a court order.

For amendments made within one year of the child's birth, there is no processing fee. For amendments made one year or more after the child's birth, there is a \$23 processing fee.

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## **How can I get a certified copy of the birth certificate?**

You will not automatically receive a copy of your baby's birth certificate. Once the birth is registered, you can request a certified copy of the birth certificate from the local Health Department or County Recorder in the county where your child was born, or from CDPH-VR. A fee is charged for each certified copy requested (<https://www.cdph.ca.gov/Programs/CHSI/Pages/Vital-Records-Obtaining-Certified-Copies-of-Birth--Death-Records.aspx>).

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## **How can I get a Social Security number for my child?**

You can get a Social Security number for your child by contacting the nearest Social Security office. There is *never* a charge for a social security number and card from the Social Security Administration. For more information about Social Security, contact your nearest Social Security Office or call (800) 772-1213 (toll-free). This phone number will provide you with prerecorded information at any time – attendants are available only from 7 a.m. to 7 p.m. (Pacific Standard Time) on any business day. You can also access Social Security's website (<https://www.socialsecurity.gov/>).

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## **Who collects the information on the birth certificate?**

The information you enter on the worksheet available from the local Health Department will be transferred to the Certificate of Live Birth (VS 10D) and collected by CDPH-VR. This information is required by Division 102 of the Health and Safety Code.

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## **Am I required to complete every part of the worksheet?**

You must complete each field of information on the Worksheet for Out-of-Hospital Births, except for the fields between the double bold lines in the center of the front page. CDPH-VR asks that you provide this optional information as well, so that the records are complete – but you are not required to do so. The information marked “medical data” will not be transcribed onto the actual hard copy of the birth certificate. This information will also not be disclosed or available to anyone except to CDPH and the federal government and will be used for demographic and statistical analysis only without any personal identifying information (Health and Safety Code Section 102426.)

The voluntary fields, which apply to information for both the genetic mother and genetic father, are:

- Race and Ethnicity
- Usual Occupation
- Education
- Social Security Numbers
- Usual Kind of Business or Industry
- Date Last Worked

For births not attended by a physician or midwife, there are also three voluntary fields (see asterisks on the worksheet) that apply to medical data:

- Complications and procedures of pregnancy and concurrent illnesses
- Complications and procedures of labor and delivery, and
- Abnormal conditions and clinical procedures related to the newborn

These three fields are required for physician- or midwife-attended births. They are, however, voluntary if the parents are registering the birth.

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## **What is the information on the birth certificate used for?**

CDPH-VR collects birth information for conducting research relating to the health status of California's population.

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## **Who should appear at the Health Department to register the birth certificate?**

In order to register an out-of-hospital birth, the local Health Department must require the personal appearance of:

- The physician and parent(s), or parent(s) with the physician's signed Affidavit, for physician attended births, *or*
- The midwife and parent(s), or parent(s) with the midwife's signed Affidavit, for midwife attended births, *or*
- The parent(s) and attendant (if appropriate), for non-physician, non-midwife attended births.

**Note:** They do not necessarily need to come in to the office at the same time.



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## Instructions for Registering Birth

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### Action required before appointment with the local Health Department

**Complete the “Worksheet for Out-of-Hospital Births” available from the local Health Department before your appointment with the local Health Department.**

The worksheet will be used to register the baby’s birth and prepare the birth certificate. Fill out the worksheet accurately with facts as of the day the baby was born. CDPH-VR prefers that all items be completed or accounted for, including the public health data portion of the worksheet.

If the birth was attended by a physician or midwife, they should complete form VS 10A, which provides supplemental medical information.

Contact the local Health Department if you have any questions regarding registering your baby’s birth (the phone number is on the cover of this pamphlet).

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### Declaration of Paternity

If the person giving birth is not married or in a State Registered Domestic Partnership (SRDP), the other parent’s name shall not be listed in Items 6A-6C unless both are biological parents and both sign a voluntary Declaration of Paternity (CS 909).

Call the Paternity Opportunity Program at (916) 464-1982 or the local Health Department if you have any questions or need to obtain forms.

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### Evidence required

***This section applies only if a physician or midwife was not in attendance at the birth, and the parents are registering the birth.***

Please bring to your appointment evidence to prove **five facts**:

1. Identity of the parent(s)
2. Pregnancy of the person giving birth
3. Baby was born alive
4. Birth occurred in California
5. Identity of the witness

**Note:** If a physician or midwife attended the birth, their signed Affidavit is sufficient evidence to prove 2, 4, and 5 above, but the parents always need to provide evidence for facts 1 and 3. Additional information about these five items is provided below.

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## **Fact 1: Identity of the Parents**

A valid picture identification card issued to the parents by a government agency must be provided to prove identity. Following are some recommended documents that can be used (only the original or a **certified** copy is acceptable):

- A driver's license or identification card issued by a United States (U.S.) Department of Motor Vehicles Office.
- U.S. passport.
- U.S. military identification card.
- Temporary resident identification card (green card).
- Other valid picture identification card issued by a foreign government. (If the parents gave birth in California but are not here legally, they may be able to get identification verification from their consulate.)

## **Fact 2: Pregnancy of the Person Giving Birth**

To prove the pregnancy of the person giving birth, provide a pregnancy test verification form or a letter that meets **all** of the following conditions:

- From a doctor, midwife, or clinic.
- Written on the doctor's, midwife's, or clinic's official stationery (not on a prescription pad).
- Signed (not stamped) by the doctor, midwife, or clinic representative or nurse.
- Contains the current issued professional license number of the physician or midwife who signed the letter.

The pregnancy test verification form or letter must include **all** of the following information:

- The name of person giving birth.
- The date when the person giving birth was first seen by the doctor or midwife (this date may be after the date of birth).
- The results of the person giving birth's prenatal or postpartum exams or pregnancy tests.
- The date of the person giving birth's last menstrual period.
- The date the baby was born, or was expected to be born (due date).

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## **Fact 3: Baby was Born Alive**

- ***Bring the baby to the appointment.***
- ***The appointment will not be conducted if the baby is not present.***

## **Fact 4: Birth Occurred in California**

CDPH-VR needs information showing that the person giving birth was in California on the date that the birth occurred. Documentation to confirm the person giving birth's presence in California on the date the birth occurred may include any of the following:

- If the birth occurred at the person giving birth's residence, provide an electric power, natural gas, or water bill for the period when the birth occurred. The copy of the bill (or statement from the company) must include the name of the utility company, the address of the residence where the birth occurred, and the name of either parent who is listed on the birth certificate.
- An affidavit from someone who was with the person giving birth at the time of the baby's birth. The affidavit must contain the address of the person with the person giving birth, and the location of the birth.
- A current rent receipt or other similar document that shows the name of either parent and current address.
- A statement from a state or local government agency that requires proof of residency in California that the person giving birth was receiving services on the date of the baby's birth (e.g., WIC or Medi-Cal).

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## **Fact 5: Identity of the Witness**

If a physician or midwife did not attend the birth, and if a witness did attend, ***the witness should accompany you to the appointment.*** A witness may include any of the following:

- Spouse or other family member.
- Friend.
- Paramedic or fire department staff.

If a paramedic or fire department staff was present at the birth, you can get a copy of the official report stating the treatment or service they provided (there may be a fee for the report). The staff does not have to be present at the appointment, nor do you have to bring a copy of their identification.

If the paramedic arrived after the baby's birth, bring a copy of the 911 call or an official report of the contents of the 911 call, along with a copy of the paramedic's report.

- If the paramedic cut the cord, or was present when the cord was cut, the report should so state.
- If the paramedic delivered the placenta, the report should so state.

**Valid ID for Witness:** A valid picture identification card issued to the witness by a government agency must be provided to prove identity. Following are some recommended documents that can be used (only the original or a ***certified*** copy is acceptable):

- A driver's license or identification card issued by a United States (U.S.) Department of Motor Vehicles Office.
- U.S. passport.
- U.S. military identification card.
- Temporary resident identification card (green card).
- Other valid picture identification card issued by a foreign government. (If the witness is not in California legally, they may be able to get identification verification from their consulate.)

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## **Verification**

The local Health Department may verify the accuracy of all information provided to register an out-of-hospital birth.

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## Registrar's right to refuse to register birth

If the requirements of Health and Safety Code Section 102415 and of the registration packet or other bona fide evidence are not presented to the registrar, then the registrar must refuse to register the birth certificate. In these cases, the birth certificate may be registered only by authority of a Superior Court (Health and Safety Code Section 103450.)

## Valid ID for physician/midwife

The physician or midwife must provide written documentation of their identity at the time they sign the birth certificate.

A valid picture identification card issued by a government agency must be provided to prove identity. Following are some recommended documents that can be used (only the original or a **certified** copy is acceptable):

- A driver's license or identification card issued by a United States (U.S.) Department of Motor Vehicles Office.
- U.S. passport.
- U.S. military identification card.

The physician or midwife **must** also provide their professional license number for verification purposes.

## Worksheet/Registration Packet

Contact the local Health Department (the phone number is on the cover of this pamphlet) for affidavit, worksheets, and helpful material to register an out-of-hospital birth, and to make an appointment:

- **Worksheet for Out-of-Hospital Births**
- **Affidavit of Birth Information for Out-of-Hospital Births**
- **Certificate of Live Birth – Medical Data Supplemental Worksheet (VS10A)**
- **Race/Ethnicity and Education Worksheet**
- **Birthweight Conversion Table**
- **What You Need to Know About Your Child's Birth Certificate flyer**
- **Importance of Collecting Complete and Accurate Birth Certificate Information flyer**

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**In summary,  
what links to  
forms and  
references  
may be  
required?**

Directory of County Vital Records Offices including local Health Departments  
(<https://www.cdph.ca.gov/Programs/CHSI/Pages/County-Registrars-and-Recorders.aspx>)

California Department of Public Health home page  
(<https://www.cdph.ca.gov/>)

Processing Times  
(<https://www.cdph.ca.gov/Programs/CHSI/Pages/Vital-Records-Processing-Times.aspx>)

Obtaining Certified Copies of Birth Records  
(<https://www.cdph.ca.gov/Programs/CHSI/Pages/Vital-Records-Obtaining-Certified-Copies-of-Birth--Death-Records.aspx>)

Sworn Statement – Application and Sworn Statement: Certified Copy of Birth Record – VS 111 form  
(<https://www.cdph.ca.gov/Programs/CHSI/Pages/Sworn-Statement.aspx>)

Social Security Administration (SSA)  
(<https://www.socialsecurity.gov/>)

Paternity Opportunity Program (POP) home page  
(<http://www.childsup.ca.gov/resources/establishpaternity.aspx>)