

ADOPTIONS SECTION

HEALTH

OFFICE OF POLICY AND STRATEGIC PLANNING

OFFICE OF VITAL STATISTICS AND REGISTRY

Notice of Readoption

Birth Certificates

Readoption with Technical Changes: N.J.A.C. 8:2

Authority: N.J.S.A. 26:8-1 et seq., especially 26:8-23.

Authorized By: Kaitlan Baston, MD, MSc, DFASAM, Commissioner, Department of Health.

Effective Dates: August 25, 2025, Readoption;
 October 6, 2025, Technical Changes.

New Expiration Date: August 25, 2032.

Take notice that pursuant to N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 8:2, Birth Certificates, were scheduled to expire on November 2, 2025.

N.J.A.C. 8:2 implements the Department of Health's (Department) rulemaking obligations pursuant to N.J.S.A. 26:8-1 et seq., pertaining to the recording and issuance of birth certificates. Subchapter 1, Creation of a Record of Live Birth and a Certificate of Birth Resulting in Stillbirth, provides the scope and purpose of the chapter, establishes definitions of terms the chapter uses, and specifies the requirements and processes for creating a record of live birth and a certificate of birth resulting in stillbirth. Subchapter 2, Access to Records of Live Birth, establishes the requirements for obtaining access to certifications and certified copies of birth records. Subchapter 3, Fees, establishes the

fees applicable to the Department's issuance of a certification and a certified copy of a birth record.

The Commissioner of the Department has reviewed N.J.A.C. 8:2 and determined that the existing chapter remains necessary, proper, reasonable, efficient, understandable, and responsive for the purposes for which it was originally promulgated, as amended and supplemented over time, and should be readopted. Therefore, pursuant to N.J.S.A. 52:14B-5.1.c(1), N.J.A.C. 8:2 is readopted and shall continue in effect for a seven-year period.

The Department is making technical changes throughout the chapter to update contact information to accurately reflect the Department's name pursuant to N.J.S.A. 26:1A-2.1.

Full text of the technical changes follow (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

SUBCHAPTER 1. CREATION OF A RECORD OF LIVE BIRTH AND A CERTIFICATE OF BIRTH RESULTING IN STILLBIRTH

8:2-1.2 Definitions

The following words and terms, as used in this chapter, shall have following meanings, unless the context clearly indicates otherwise[.]:

“Certificate of Birth Resulting in Stillbirth” means a certificate created from the information obtained from the fetal death certificate at the request of the parent of a stillborn child where the fetal death has been registered with the Department of Health [and Senior Services].

...

“Commissioner” means the [State] Commissioner of **the Department of Health** [and Senior Services].

“Department” means the [New Jersey State] Department of Health [and Senior Services].

...

SUBCHAPTER 3. FEES

8:2-3.1 Fees; refund of fees; excess payment

(a) (No change.)

(b) In the instance of individuals forwarding funds in excess of those fees specified [in] **at** N.J.S.A. 26:8-40.1, 26:8-61, 26:8-62, 26:8-63, 26:8-64, and 2A:52-4 (Vital Statistics), the [New Jersey State] Department [of Health and Senior Services] will not make refunds of \$1.00 or less.