

Direct and Legitimate Interest

Documents required for release of a restricted vital record.

1. The applicant must supply positive identification of who he or she is. Documents accepted include a driver's license, a passport, or other government-issued photo identification.
2. The applicant must supply a copy of the document that requires the vital record to be released e.g. a court order, letter from attorney, letter from Social Security, letter on creditor letterhead or copy of credit agreement, insurance form or letter from insurance company etc.
3. The current fee must be paid at the same time the above information is submitted for issuing a record.

DHHS - Non-Discrimination Notice

The Department of Health and Human Services (DHHS) does not discriminate on the basis of disability, race, color, creed, gender, sexual orientation, age, or national origin, in admission to, access to, or operations of its programs, services, or activities, or its hiring or employment practices. This notice is provided as required by Title II of the Americans with Disabilities Act of 1990 and in accordance with the Civil Rights Act of 1964 as amended, Section 504 of the Rehabilitation Act of 1973, as amended, the Age Discrimination Act of 1975, Title IX of the Education Amendments of 1972, the Maine Human Rights Act and Executive Order Regarding State of Maine Contracts for Services. Questions, concerns, complaints or requests for additional information regarding the ADA may be forwarded to the DHHS' ADA Compliance/EEO Coordinators, 11 State House Station – 221 State Street, Augusta, Maine 04333, 207-287-4289 (V), 287-3488 (V), "TTY users call Maine relay 711". Individuals who need auxiliary aids for effective communication in program and services of DHHS are invited to make their needs and preferences known to the ADA Compliance/EEO Coordinators. This notice is available in alternate formats, upon request.

To order additional copies of this publication or if you have questions about the content, please call: Maine CDC, Data, Research, and Vital Statistics at 207-287-5500. "TTY users call Maine relay 711".

**Maine Center for Disease Control and Prevention
(Maine CDC)
Vital Records Office
244 Water Street
11 State House Station
Augusta, Maine 04333-0011
(207) 287-3771**

Fax : (207) 287-1093 TTY Users: Dial 711 (Maine Relay)

Maine Department of Health and Human Services



Data, Research and Vital Statistics

Direct and Legitimate Interest – Accessing Closed Records in Maine

Direct and Legitimate Interest – Accessing Closed Records in Maine

Department of Health and Human Services Rules 10 – 146 Chapter 8, Release of Vital Statistics Restricted Data

The Release of Vital Statistics Restricted Data rules specify who may obtain a copy of a vital record (birth, death, fetal death, marriage, divorce or registered domestic partnership) by determining why the vital record is required.

This rule discusses who, outside of those listed in statute, may obtain a copy of a record. The rule specifies that those with a direct and legitimate interest in the vital record may obtain a copy of the vital record if they meet the criteria of “direct and legitimate interest.”

Individuals who qualify as having a direct and legitimate interest in a vital record are those who need a copy of a vital record they would not normally have access to, in order to protect a personal or property right.

Per Chapter 8, those who may have a direct and legitimate interest in a record are defined as follows:

Direct and Legitimate Interest. The following individuals and entities shall be deemed to have a “direct and legitimate interest” in the data contained in a vital record:

1. Registrant or related individual;
2. Federal or State agencies, Maine municipal governments and Maine public school districts, any that may require such data for administrative purposes in the conduct of their official duties; and
3. Those individuals conducting health, medical, and social research, including those in governmental agencies, which has potential for reducing morbidity and mortality within Maine, for furthering scientific understanding of disease processes, or for improving health and social services. This data may only be requested from the Maine CDC vital records office.

4. Others may be authorized to obtain confidential data when they demonstrate that such information is needed for the determination or protection of personal property rights.

Media representatives and commercial firms other than those conducting health, medical or social research shall not be considered to have a direct and legitimate interest.

Examples of Direct and Legitimate Interest:

- An individual requires a copy of a vital record for a law suit; therefore, this is protection of personal property rights.
- An individual requires a copy of a vital record for a creditor e.g. mortgage lender, creditor holding a note, Social Security, insurance purposes etc.
- An individual requires a copy of a vital record to clear a motor vehicle title, or to determine a personal property right of the vehicle.
- State, County or Municipal Agencies that require vital records for administrative purposes in conduct of official duties – e.g. birth lists.