



Ohio Administrative Code Rule 3701-5-01 Definitions.

Effective: July 3, 2016

As used in this chapter:

(A) "Live birth means the complete expulsion or extraction from its mother of a product of human conception, that after such expulsion or extraction, breathes or shows any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles, whether or not the umbilical cord has been cut or the placenta is attached.

(B) "Fetal death" means death prior to the complete expulsion or extraction from its mother of a product of human conception, of at least twenty weeks of gestation, which, after such expulsion or extraction does not breathe or show any other evidence of life such as breathing of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles.

(C) "Dead body" means a human body or part of a human body from the condition of which it reasonably may be concluded that death occurred.

(D) "Physician" means a person licensed pursuant to Chapter 4731. of the Revised Code to practice medicine or surgery or osteopathic medicine and surgery.

(E) "Attending physician" means the physician in charge of the patient's care for the illness or condition that resulted in death.

(F) "Institution" means any establishment, public or private, that provides medical, surgical, or diagnostic care or treatment, or domiciliary care, to two or more unrelated individuals, or to persons committed by law.

(G) "Funeral director" means the business or profession of directing or supervising funerals for profit, the business or profession of preparing dead human bodies for burial by means other than embalming, the disposition of dead human bodies, the provision or maintenance of a place for the



preparation, the care, or disposition of dead human bodies, the use in connection with a business of the term "funeral director," "undertaker," "mortician," or any other term from which can be implied the business of funeral directing, or the holding out to the public that one is a funeral director or a disposer of dead human bodies.

(H) "Registration district" means a city or county health district created by section 3709.01 of the Revised Code. The director of health may combine two or more primary registration districts, or may establish any state hospital, or other public institution, as a primary registration district.

(I) "State registrar" means the head of the bureau of vital statistics in the department of health.

(J) "Local registrar" means the head of a primary registration district.

(K) "Deputy registrar" means an individual appointed by the local registrar, with the approval of the director, under section 3705.05, of the Revised Code. In the case of the absence, illness, or disability of the local registrar, the deputy registrar acts in his or her place.

(L) "Sub-registrar" means a person appointed by a local registrar for the purpose of approving permits for the disposition of remains, as provided in section 3705.17 of the Revised Code.

(M) "Final disposition" means the burial, cremation, entombment, removal from the state, donation, or other authorized disposition of a dead body or a fetus.

(N) "Cremation" means the reduction to ashes of a dead body.

(O) "System of vital statistics" means the registration, collection, preservation, amendment, and certification of vital records, the collection of other reports required by Chapter 3705. of the Revised Code and activities related thereto.

(P) "Vital records" means certificates or reports of birth, death, fetal death, or abstracts of marriage, divorce, dissolution, and annulment, and data related thereto and other documents maintained as required by statute.



(Q) "File" means the presentation of vital records to the local registrar.

(R) "Registration" means the acceptance by the bureau of vital statistics and the incorporation of vital records into its official records.

(S) "Birth record" means a birth certificate that has been registered with the office of vital statistics; or, if registered prior to the effective date of this section, with the division of vital statistics; or, if registered prior to the establishment of the division of vital statistics, with the department of health or a local registrar.

(T) "Certification of birth" means a document issued by the director of health or state registrar or a local registrar under division (B) of section 3705.23 of the Revised Code.

(U) "Director" means the director of health.

(V) "Physician in attendance" means the physician who was in attendance at or immediately after the birth of the child or, the physician who is the chief or head of the department or section of obstetrics in the institution.

(W) "Governmental use only certificate" means a vital record issued to a local, state or federal government agency for use in official government business. The governmental use only certificate will be a plain paper copy issued free of charge and will be marked as a governmental use only certificate. A certified copy of a governmental use only certificate will be issued free of charge upon issuance of a court ordered subpoena for a vital record.

(X) "Stillbirth certificate" means a certificate recognizing the fetal death of an infant at any age of gestation. The director or state registrar shall issue a stillbirth certificate upon receipt of a application signed by either parent. The certificate shall contain the name of the infant, sex of the infant, and date of delivery and place of delivery. The director, state registrar, or local registrar shall charge no fee for the certificate. A certificate recognizing the delivery of a stillborn infant is not proof of a live birth for purposes of federal, state and local taxes.

(Y) "Delayed birth" means any birth that happens in an institution, that is not registered within



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seven years of date of birth, or is not registered within one year, if the birth occurs out of institution.