

July 30, 2014

The Honorable Sam Johnson
Chairman, Subcommittee on Social
Security
Committee on Ways and Means
U.S. House of Representatives
Washington, DC 20515

The Honorable Xavier Becerra
Ranking Member, Subcommittee on
Social Security
Committee on Ways and Means
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Johnson and Ranking Member Becerra:

NAPHSIS—the association representing the 57 jurisdictions with legal authority for vital records in the United States—strongly supports Section 402 of H.R. 5260, the *Stop Disability Fraud Act of 2014*. This important provision requires federal agencies receiving death data provided to the Social Security Administration (SSA) by states to pay for the full cost of creating the file, including the states' costs to collect and prepare these data. It also requires SSA to reimburse states for ensuring the completeness, timeliness, and accuracy of their death data. This bill provides essential revenue to vital records jurisdictions, which will in turn result in more, better, and faster data for both statistical and administrative purposes, including fraud prevention.

Under our nation's constitutional framework, vital records—births, deaths, marriages, and divorces—are the responsibility of the states and thus governed by state laws. The laws governing what information may be shared, with whom, and under what circumstances vary by jurisdiction. In most jurisdictions, access to death records is restricted to family members or others with personal or property rights, to government agencies in pursuit of their official duties, or for research purposes. The data the 50 states, five territories, New York City and the District of Columbia produce on births and deaths are the "gold standard." Our vital events data are more accurate and complete than any other source of these data. In fact, our data are the *only* universal primary source upon which all other secondary sources of birth and death data are based.

Most vital records jurisdictions are fully or partly "fee-funded," through the sale of certified copies of vital records and fees associated with federal data use agreements, including SSA. Specifically, their operations are either completely or partially dependent on the fees they collect through the sale of birth and death certificates and birth and death data. To complicate matters, most jurisdictions' vital records offices do not set their own fees for certificates – those are usually established either statutorily by state legislatures, or by regulation—and many vital records offices do not receive any state appropriated funds. Thus, the fees provided to jurisdictions by the federal government for access to state vital records data are the lifeblood of jurisdictions' core operations.

Section 402 would provide essential revenue to jurisdictions, supporting day-to-day data collection and processing, as well as much needed capital improvements including the continued implementation of electronic registration systems. Modernization of the vital records infrastructure will lead to more accurate and timely data for use in monitoring the prevalence of disease and overall health status, in the administration of benefit programs—both to determine eligibility and reduce erroneous payments—and to ensure a person “is who they say they are” when applying for an official ID, a job, or benefits.

NAPHSIS greatly appreciates your leadership on this critical issue, and stands ready to support you as you work to advance this bipartisan legislation. If you have questions, please do not hesitate to contact me at ppotrzebowski@naphsis.org or (301) 563-6001. You may also contact our Washington representative, Emily Holubowich, at eholubowich@dc-crd.com or (202) 484-1100.

Sincerely,

A handwritten signature in cursive script that reads "Patricia W. Potrzebowski".

Patricia W. Potrzebowski, Ph.D.
Executive Director