

### **Who is qualified to obtain a vital (birth or death) record?**

Texas law is protective of the confidentiality of vital records because they are legal identity documents that record vital life events. Texas law is specific about confidentiality:

- Certified copies of birth certificates are confidential for 75 years.
- Certified copies of death certificates are confidential for 25 years.

Because of the laws protecting confidentiality, if the death was less than 25 years ago, or the birth was less than 75 years ago, certified copies of such records can only be obtained by *qualified applicants*.

A *qualified applicant* is defined as:

- the registrant,
- the registrant's immediate family member either by blood or marriage,
- the registrant's guardian, or
- the registrant's legal representative

Local, state and federal law enforcement or governmental agencies and other persons may be designated as properly qualified applicants by demonstrating a direct and tangible interest in the record when information is necessary to implement a statutory provision or to protect a personal property right. A properly qualified applicant may also be any person who has submitted an application for a request to release personal information and has been approved as outlined in the Texas Administrative Code, Section 181.11, relating to Requests for Personal Data.