

***VITAL RECORDS IMPROVEMENT FUND  
ADVISORY COMMITTEE***

*To The New Hampshire Department of State*

***- MINUTES -***

***Friday***

***August 21, 2009***

# Approved Minutes

## **-MINUTES-**

### **Vital Records Improvement Fund Advisory Committee Meeting**

August 21, 2009

Archives Building  
2<sup>nd</sup> Floor Conference Room  
71 South Fruit Street  
Concord, New Hampshire 03301

#### ***COMMITTEE MEMBERS PRESENT:***

Dr. Frank Mevers, State Archivist  
David Scanlan, Deputy Secretary of State, SOS Appointment  
Stephen M. Wurtz, Acting State Registrar  
Patricia Little, Keene City Clerk, NHC&TC Association Appointment  
Joanne Linxweiler, Auburn Town Clerk, NHC&TC Association Appointment  
Nelson Allan, Public Member, SOS Appointment  
Dr. David Laflamme, Data User, DHHS Appointment  
Tricia Piecuch, Nashua City Clerk, NHC&TC Association Appointment  
Debra Clark, Town Clerk, NHC&TC Association Appointment

#### ***COMMITTEE MEMBERS EXCUSED:***

Thomas A. Andrew, MD, Medical Examiner Appointment  
Anna Thomas, Municipal Data User, DHHS Appointment  
Stephen Norton, Vital Records User, DHHS Appointment  
Robert Carrier, Funeral Director Association Appointment  
Theresa Pare-Curtis, OIT CIO Appointment

#### ***GUESTS:***

Vicki Tinsley, DOIT

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## 1. Meeting Called to Order:

- Mr. Wurtz called the meeting to order at 9:35 a.m.
- Ms. Little presented the Draft of May 15, 2009 Minutes for the Committee's action.
- Motion to approve Minutes of May 15, 2009 made by Dr. Mevers, seconded by Mr. Allan, as amended: Item 7. FY 2010 Budget Development Discussion; add 6 months extension to timeline. Abstaining from voting, Ms. Piecuch. All other members present agreed.

## 2. Financial Report:

- Mr. Wurtz presented the Vital Records Improvement Fund financial report prepared by Mr. Manning who had a scheduling conflict and was not able to attend. Mr. Wurtz stated and committee members agreed that this report was a major improvement to past reports and wanted Mr. Manning to know that the ability to see the actual fund balance was greatly appreciated. Mr. Wurtz added that Mr. Manning was open to suggestions to further enhance reports he provides to the committee.
- There was no one from OIT in attendance to further break down the OIT expenses outlined in the report.
- A committee member asked if the decline in revenue discussed at the last meeting was reflected in the report. Mr. Wurtz replied that revenue was listed as over one million so it had remained consistent with the previous year. It was noted that there was an additional \$150,000 deposited into the fund this year as a result of the audit that might have helped cover any decreased revenue.
- The question of whether SOSKB had impacted revenue was posed. Mr. Wurtz replied that he was unsure if it had, but would speak with Ms. Sweatt to see if he could obtain a comparison.
- Ms. Tinsley was asked if the \$499,000 was for the entire Department of State or just Vital Records. She replied that it was the Vital Records portion only.
- Ms. Tinsley was asked if she could further explain OIT costs. She advised that she was not prepared to do so at that meeting but would come to the next meeting prepared to discuss it. Mr. Wurtz explained that Ms. Tinsley had come to the meeting to stand in for Ms. Pare-Curtis and did not expect to be presenting.

## 3. Vital Records Preservation:

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- Mr. Wurtz presented the Vital Records Preservation Update report prepared by Mr. Manning. Again, he felt the report was an improvement and very easy to follow.
- It was noted that many clerks had received assessments but had done nothing further. It was explained that many had received recommendations that required their town contribute or “match” funds to the project to make it feasible. With the current economy they were unable or unwilling to budget funds and remained at a standstill. Questions followed regarding why a town would be asked to contribute. It was explained that if the work needed was extensive and expected to exhaust the maximum available funds the clerk was advised to seek out additional funding.
- Most agreed that many of those towns would probably not be going forward with recommendations. Based on that assumption Mr. Manning estimated that even if the remaining “open” towns requested maximum grant funding the maximum remaining exposure to the fund was approximately \$500,000
- A consensus was reached to have Mr. Manning communicate with the town clerks in question to ask for or set up a time line for completion of work. Members agreed that June 30, 2010 was an appropriate end date for the current grant program. Mr. Wurtz reported that Mr. Manning had instructed him that his schedule was easing up a little and he would have more time to devote to closing up the grant process shortly.
- Mr. Wurtz was asked to do an analysis of the assessments to determine whether any had been found to be acceptable and not in need of immediate improvements. Mr. Wurtz again stated that Mr. Manning would soon have more time to devote to this type of analysis. He added that he would bring up the outstanding towns and the deadline at the upcoming annual clerk’s convention.
- A member suggested that because so much time has passed some clerks might possibly feel the need to have their assessment updated and they should know that his would be their responsibility. The consensus of those familiar with the assessments was that very little changes with them over time, so the original assessments should still be relevant. Assessment results should be considered a long-term plan. Some items could be resolved immediately and others scheduled over a number of years. Ms. Little felt that the committee was on the right track. That there had to be precise end date so the committee could plan for future expenditures with an accurate idea of the fund’s balance.

#### **4. NHVRIN re-procurement Report:**

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- Mr. Wurtz reminded the committee that at the last meeting they had discussed looking around to see what kinds of “off the shelf” electronic registration products were on the market. He distributed to committee members a copy of the Request for Information (RFI). The term “off the shelf” is somewhat deceiving as each registration area is different and any product we selected would need to be modified to work for New Hampshire. The ultimate goal of the RFI was to assist in the creation of the eventual Request for Proposal (RFP).
- Vendors were given until August 31, 2009 to respond. After that date a demonstration would be scheduled with top responders. The presentations would allow attendees to look for features we want to incorporate into our new application.
- Mr. Wurtz explained that the beauty of an off the shelf product would be that we could see how everything functions behind the scenes. Something they lacked in the past. He added that OIT was looking forward to seeing which direction Vital Records would go. The new application would allow Vital Records to contract support and maintenance through OIT or the vendor. Those decisions would be driven by costs.
- Mr. Wurtz reported that vendors were surprised and suspicious of the RFI. He had receive two telephone calls asking what New Hampshire was up to. They asked “Do you have enough money to do this?” or “Are you waiting for stimulus money?” With the economy the way it is there had been no interest shown by anyone for the last eight months. He felt this puts New Hampshire in an advantageous position. When the time comes to negotiate a price we will be in a good position.
- Mr. Wurtz felt that the vendors questions were legitimate. He explained that this was the reason he supported releasing the RFI. Getting a “guesstimate” of the cost of replacing NHVRIN would help Vital Records plan for the future. Using federal funds always concerned him because of the strings attached, but if the estimate comes in at \$5-6 million that might be a consideration. He had heard of other states trying to tie electronic medical records to the replacement or upgrade of their registration systems to stimulus funds by way of electronic medical records, but had not heard of anyone being successful yet. Discussion followed of the (Replacement) Request for Information in relation to the drafting of the (Replacement) Request for Proposal.
- Overall Mr. Wurtz felt we are in a good position. Going into it with open eyes we will be able to see what is out there and gain knowledge to use in our own RFP.

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If the proposed cost is really high the committee will be aware that they may need to revisit raising the cost of a certified copy of a vital record.

- Mr. Wurtz felt that the new registration system should incorporate all the standards of all the ancillary applications used by clerks, hospitals, and funeral directors, so when the time comes to go live redundancy will be avoided with an import or export of data. He believed this would further improve data quality by eliminating the middle man from the process. The ability to import and export was the one thing Vital Records lost in the transition from VRV2000 to NHVRIN and Mr. Wurtz stated that it was sorely missed. He mentioned that Concord Hospital could be a good partner in that area as they have been very aggressive with electronic medical records and are pretty far along in the process.

### **5. Same Sex Marriage Conversion Update:**

- Mr. Wurtz distributed a handout to those in attendance. He began by reporting that this issue was consuming division and OIT staff. They had been meeting weekly since May. All in all he felt it was going to be well received by clerks and the public alike. It was quite an undertaking to ensure that all the modules of NHVRIN and the forms users submit to support the data entered into the system all encompass the statutorily required changes. He stated that Ms. Tinsley and OIT staff had been a tremendous help in making these changes happen in such a short time.
- Mr. Wurtz explained that the process had been broken down into three stages. Stage 1 would begin October 1, 2009 when a new release of NHVRIN would be launched that would allow for same gender couples to file their intent to marry. We targeted October 1 because a New Hampshire marriage license is good for 90 days and if a couple intends to marry January 1, 2010 they would be able to apply and receive their license October 1, 2009. It could reflect poorly on us if all couples were not able to obtain a marriage license for the entire 90 day period.
- The new program will allow individuals to select their title: bride, groom, or spouse and that would be reflected on the certified copy. New forms will also be distributed to clerks at that time.
- In phase I we are providing the capability to create and amend the marriage license, print a test copy, and provide an official copy to the registrants. At the same time we needed to be able to turn off the ability for clerks to enter new Civil unions after December 31, 2009.
- Phase II will allow the conversion of a civil union to a marriage. The individuals will be able to go into the clerk's office that initiated their civil union record and

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request that their union be converted to a marriage. Because of all the checks and balances required to ensure that persons are not already married or party to another civil union OIT staff are working on a process whereby division staff will be able to convert the union in NHVRIN upon receipt of a form completed by the couple in the clerk's office.

- There is also the upcoming January 1, 2011 administrative conversion to think about. Because of the complexity of all the tests and cross referencing that takes place in NHVRIN when intentions are filed we felt we should initially simplify the process by having Vital Records staff handle the conversions.
- Phase III is probably the easiest because any civil union not already dissolved by a court will be required by administrative order to be converted to a marriage January 1, 2011. The marriage dates at that point will be 1/1/2011.
- A committee member asked if it was possible to keep track of what all the changes to the application, etc. cost the state because a fiscal note had been provided to the legislature and they decided against budgeting anything for the changes. Ms. Tinsley replied that through job tracking they will know the exact dollar amount to make the required changes. It would not increase the amount billed to Vital Records because it is the regular developer time, but it takes away hours that could be used to support NHVRIN.
- Mr. Wurtz was asked if clerks should be notifying the people that have joined in a civil union in their city or town that they have the ability to convert to a marriage January 1, 2010. Mr. Wurtz replied that since it is such small numbers, clerks could send out a letter as a courtesy if they chose to.
- Mr. Wurtz explained that because of age waivers it would now be necessary to ascertain the sex of each party to a marriage. The new legislation still allows for heterosexual couples to obtain age waivers if they wish to marry prior to reaching the age of majority. It does not allow age waivers for individuals wishing to enter into a same gender marriage. Clerks are allowed by law to ask for identification up to birth certificates and many opt to do that. Even though the parties will be required to identify their gender on the worksheet it will not be reflected on the license or the certified copy.
- Mr. Wurtz explained that there would be no fee for a couple to have their civil union converted administratively to a marriage. If the person comes in and wants to have a marriage license and ceremony all the normal fees apply. He added that much more information would be provided to clerks at their annual meeting and through educational materials included with new forms as they are released.

**6. State and Territorial Exchange of Vital Events (STEVE) UPDATE:**

- Ms. Tinsley advised that the STEVE server had been installed in the computer room. OIT has been working with the vendor to get that accomplished. The software has been installed and configured and they are waiting to move to the next step which is to test it to ensure it is operational.
- STEVE is an electronic exchange of vital event data between states. Currently we send paper copies to other states when their residents give birth or die in New Hampshire. This process makes it difficult to get the data in a timely fashion. When STEVE goes live the only issue we will have is New Hampshire is the only New England state that is ready to go. To test the system we will have to create a file and send it to a state that has agreed to provide feedback.
- There was a presentation at the Secretary of State's convention about exchanging data for voter registration. There are other agencies looking at STEVE being the hub for all electronic exchange of data. Once we have the ability to communicate through this hub it will not be limited to Vital Records. It could be the Secretary of State, Health and Human Services, the DMV, etc. This will be even better when we have some sister states that we can share with. Once we go live we will be creating an electronic record and receiving paper back and we will not see the improvement. Dr. Laflamme is always asking when those out-of-state records going to be keyed into NHVRIN. STEVE will eliminate all the delays. Once a file is sent it will be available. Dr. Laflamme inquired when Massachusetts would be getting on board with STEVE. Mr. Wurtz replied that they had just awarded a contract for the creation of a new registration system and part of that was to produce a module for STEVE. The State of Maine has also just awarded a contract but Mr. Wurtz was unsure if that had a STEVE component or not.
- Dr. Laflamme asked if New Hampshire had used federal funds for STEVE. Mr. Wurtz replied that we had used funds from the Centers for Disease Control (CDC). Dr. Laflamme asked if we had sought out those funds and why had other states not done so. Mr. Wurtz replied that we did go after the funding and that other states were not 100% electronic like New Hampshire so they had to do some catching up before transmitting data electronically.
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**7. IT Update:**

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- Ms. Tinsley advised the committee that the hiring freeze was still in effect. They have two developers from the Web Development group assisting with NHVRIN and that has eased Ms. Stewart's load somewhat. Unfortunately, she has to take the time to train them. They are helping out with the same gender marriage changes and that is allowing them to stay on track. It has been a pretty aggressive schedule so it has been helpful to have the additional resources. They still have one vacancy.
- Mr. Scanlan was asked if we are affected by the hiring freeze since the fund is paying for those positions. Mr. Scanlan replied that the freeze affects general fund monies, but he felt it would be wise to adhere to the policy.

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### **8. Old Business:**

- Mr. Wurtz stated he would be preparing a draft budget for next meeting.
- A member asked Mr. Wurtz to include electronic copies of handouts in minutes in the future. Mr. Wurtz was asked where to locate copies of approved minutes on the website. Dr. Laflamme replied that minutes through March were on the Vital Records website as he combined them all into one large document that he could search.
- It was decided that the next meeting would be held Friday November 13, 2009 because of the holiday.
- Mr. Wurtz explained that Ms. Orman was on medical leave and Ms. Toledo would be processing the minutes for this meeting.

### **9. New Business:**

- Dr. Laflamme informed the Committee that he has saved past Minutes in PDF document format which he would be happy to share with members.

### **10. Next Meeting:**

- The Committee will meet on Friday, November 13, 2009.