

MAINE STATE LEGISLATURE

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JOINT SPECIAL LEGISLATIVE INVESTIGATING COMMITTEE

Testimony of Parker B. Stinson.

Re: Vital Statistics.

Augusta, Thursday, Dec. 12, 1940.

Counsel: Donald W. Webber
Hubert Ryan

Thursday, December 12, 1940.

PARKER B. STINSON testified as follows:

(By Mr. Donald W. Webber)

Q. Will you state your full name?

A. Parker B. Stinson.

Q. You reside in Augusta?

A. Yes.

Q. And your position with the State?

A. Division Director, Bureau of Vital Statistics.

Q. How long have you held that position?

A. Nearly three years.

Q. Is that an appointment by the head of the Department of Health & Welfare?

A. The Council.

Q. The Governor and Council?

A. I think so.

Q. I think with that preliminary Mr. Tompkins has some questions to ask.

(By Chairman Tompkins)

Q. What has been your previous training for this position?

A. Collegiate, and that sort of thing? Bates College, Columbia University Extension, and Massachusetts Institute of Technology. For this training, Massachusetts Institute of Technology.

Q. The great difficulty seems to be among some of the town clerks in keeping up to date books, to enter and record the different certificates required. What have you got to

to say about that, Mr. Stinson?

A. The practice is quite simple. These new ones here, froms A, B, and C, they are the doctor's certificate of birth, death and stillbirth. These are now standard in almost every state in the United States. They will be eventually, and probably there will be no more changes. They have been changed to suit anybody's whim.

These go to the Town Clerk, who enters them in his book and copies and sends them to us, so that we do not have the original. That is a point to talk about later. In turn we copy them and send them to the census bureau, for which we are paid three cents a copy.

You want to discuss the involved thing here, and I agree with you heartily. It is hard to get a thousand doctors and five hundred town clerks and half as many undertakers to perform uniformly. For instance, you notice on the birth record there is an item of detail of "Children born to this mother" "How many other children of this mother are now living?" "How many other children born alive and now dead?" "How many children born dead?" ~~xxxxxxxxxxxx~~ It is simple enough, but you have to write many times to get it.

Q. Does our statute require that?

A. No.

Q. Who requires it?

A. The Registrar of Vital Statistics prescribes the form in which the return shall be made.

Q. Yes; but he doesn't prescribe more than the statute requires?

A. Yes; in this case.

Q. Why?

A. Because it is a standard form thought up by the best minds they could find amongst the several legislatures of the states.

Q. That is the only excuse?

A. Well, the best we have.

Q. What useful purpose does that list of questions serve?

A. Statistical studies in child health.

Q. It really comes from the Washington office, this request?

A. There is an association of registrars, regional and national, and they discuss these things and recommend.

Q. But what useful purpose does it serve to require so much data in regard to birth, particularly about the parents?

A. The Child Welfare Bureaus and that sort of thing requested it.

Q. Of whom do they request it?

A. Of the census bureau.

Q. Well then, these Child Welfare workers are dictating what sort of certificates you draw up then?

A. No; they do not dictate. The registrars are agreed it is a good thing to have.

Q. Yes; but the Legislature hasn't said so?

A. The Legislature, no. This is prescribed not by the Legislature but by the Registrar of Vital Statistics, who is presumed to know that thing, Dr. Mitchell in this case.

Q. It says the registrar may prescribe forms?

A. It does better than that, doesn't it; it says he will?

Q. All right, may sometimes means will.

But I haven't yet found out what useful purpose this information relative to number of children alive, dead and so forth, that have been born to these particular parents serves, except that this is the standard form prescribed by the best minds in the country.

A. Well, we will say it is used for the basis of child health. If this woman has had seven children and six of them are dead, if you accumulate those it can be the basis of a study. That is the best I can do for you.

Q. Well, do these welfare workers make a study of every return that comes into the Bureau of Vital Statistics?

A. You have got a man over there in the corner, Dr. Kobes, who does nothing but that. At the bottom there is a supplement: "Complications of pregnancy and labor."

Q. He is a Federal employee?

A. State employee, Maternity and Child Health. Every malformation I get there I give to him instantly.

Q. What does he do with it?

A. He chases it out.

Q. In what way?

A. He does the medical care of them, malformations and club feet and that sort of thing.

Q. I am trying to find out what useful purpose it does serve?

A. It does serve a useful purpose.

Q. There is so much of this information that is gathered that just goes into the wastebasket it seems to be a waste of effort.

(By Chairman Tompkins)

A. It is a deuce of a nuisance. I write eight or ten letters a day to get those things that are left out.

Q. On whom do you put the burden of supplying that information that is left out?

A. The doctor.

Q. He is not required by law to give it?

A. Well, Dr. Mitchell prescribes the form.

Q. He is not a lawyer. He is a good doctor.

A. That is good. That suits me fine. Why should a lawyer know about that sort of thing.

Q. Well, you see you are governed somewhat by what the Legislature says.

A. Well, the Legislature says he prescribes.

Q. He prescribes the form, and under that broad authority you assume then you have the right to ask any questions you deem pertinent to the birth?

A. Yes.

Q. (By Mr. Webber) Doesn't that amount to prescribing substance rather than form?

A. Let me see if I follow you.

Q. Well, the Legislature has prescribed the substance of the information, then the registrar may prescribe the form in which that substance shall appear; but when you add new material you are then prescribing substance as well as the form in which that must be answered. Aren't you then getting beyond legislative power?

A. Splitting the number of children born three ways -- is that additional or merely reporting in another way.

CHAIRMAN TOMPKINS: It has not anything to do with the birth of one particular child that I can see.

A. No.

(By Chairman Tompkins)

Q. And that is the thing that the law aims at.

A. It is no part of a legal birth record, I grant you that, but if it is useful for child study that is another matter; but it is very nearly universal.

Q. I have found more complaints from the town clerks about the necessity of changing their record books. That has to be done at their own expense; the town apparently does not pay for it.

A. I hear that too.

Q. And whenever a change is made in the record forms you prescribe, it necessitates a change in their record book and causes more or less confusion.

A. Whenever they have asked my opinion, I have said: "I do not see any point in throwing away your current book."

Q. They don't throw it away.

A. The facts of the birth don't change any by reason of these forms. They remain the same: Where, when, to whom?

Q. Well, others than the doctor might make the return of birth?

A. Yes.

Q. It very often happens it is a layman who is in attendance, a midwife rather than a medical doctor, and in the country places particularly that might cause more or less confusion in making out these reports. Do you find any difficulty along that line?

A. They do about as well as the doctor, just about.

Q. You also have a law here relative to pre-natal examination of expectant mothers. What can you tell us about that?

A. That is a brand new one. Dr. Mitchell put that in. That is the law of the land.

Q. I was asking how is that operated?

A. I cannot quote you the law, but it is in effect that the doctor shall ask to have a blood sample for a Wasserman, but it is not compulsory. If the woman refuses, that is all there is to it.

Q. What is the significance of the supplementary data on your sample certificate of live birth?

A. That is exactly what I had in mind when I spoke of Dr. Kobes. Whenever a birth injury or malformation appears on these forms, I make a copy and send to Dr. Kobes for his follow-up, and I hear he does good work on it, but that is out of my experience.

Q. But this prenatal examination has been made for some time, hasn't it?

A. I don't know the date of the law, but it is not very old.

Q. And what record is kept of that?

A. It is beyond me, sir. That I presume is in the closed file of Dr. Morrill, in the laboratory, to which nobody has access.

Q. Well, isn't the supplementary data you have on this certificate really a follow-up of the prenatal examination?

A. No; that prenatal thing is merely to safeguard against syphilis being transmitted to the child and a wide variety of things, of course.

Q. That would include the social diseases that might appear in the parent?

A. It could, I presume, labor complications, but not necessarily.

Q. What I was getting at is making a public record of that.

A. That never appears on any birth record of course. That sort of thing never appears on any birth record given out. That is in the files.

Q. In whose files?

A. Mine.

Q. How does it get there?

A. By the town clerk. The clerk copies that card, and that information is always on the back.

Q. And what becomes of the original?

A. That stays in the office of the clerk at the place of birth.

Q. It then becomes a public record?

A. Yes.

Q. Well, don't you ~~think~~ it would be well, if you wanted to gather this information, to have that on a return separate and apart from the certificate?

A. But there is no indication of what happened.

Q. I mean on the original that the doctor fills out, have that section that refers to these diseases, the information sent direct?

A. There is no information on there except that the thing was done. It doesn't say there was a four plus Wasserman or anything like that, but that the thing was done in accordance with the law. You can't discover from this whether a woman had syphilis or didn't.

Q. What I am getting at is this: This original certificate stays on file in the clerk's office in the town of the child's birth. That includes whatever answers

the physician makes on that supplementary data, and when it is placed on file it then becomes a public record, although the statute says it shall not be. Is that right?

A. What statute?

Q. In regard to this Wasserman test or in regard to this prenatal examination.

A. The result of that Wasserman is never on there. It is merely the fact it was done, that is all. No matter what the result was it would never appear on any public record.

Q. But this original certificate that is filed becomes a public record and it might contain that information.

A. I cannot conceive how it would do that. I never knew one to at least.

Q. Well, my point is this: Why not make out two returns, one that complies with the law of the State and the other for the additional information that the census bureau and your Health Department requires?

A. All right. We have too much trouble in getting that.

Q. You have had more or less trouble with town clerks on this very same thing. There has been a lot of fault found.

A. I have heard rumblings, but I go to their regional meetings. They don't see the point, and I don't wonder. I sometimes have trouble myself.

SENATOR LAUGHLIN: Do you have any trouble in getting information in addition to what the statutes of the State require?

A. I don't know. I don't get the information. The clerk does that. Once in a long while on a death record the widow will object to telling what her age is. That is a funny thing. That is the only reaction I have had.
(By Senator Laughlin)

Q. They might lie about it, as the men do.

A. That is right. We have a good many lies in our files and I can prove some of them.

Q. There is more in that blank than there is in this.
(Indicating blank)

A. It is word for word. That has been revised just the least bit.

Q. I am talking about birth, this stuff which the statute does not require.

A. The statutes require a minimum, but the form of reporting shall be devised by the Registrar of Vital Statistics.

Q. The statute gives you the right to make all these additional inquiries.

A. The law allows the registrar to do that.

Q. And the law allows the registrar to make these additional inquiries. Of course this is not necessary, how many children they have had.

A. That is debatable, isn't it?

Q. Nothing debatable about in registering the birth of one child you should know about all the other children.

A. How about saving the others that need not have died? The idea is to save the others that need not have died the way these others died.

Q. That has nothing to do with birth. They have died after birth.

A. Nothing to do with this child but with other children. A basis of study of child health.

(By Senator Laughlin)

Q. Nothing to do with registration of birth?

A. Not of itself.

Q. I was just asking if you have much objection to telling all this other information?

A. No; it is entirely impersonal as far as I can see.

(By Chairman Tompkins)

Q. Will you point out the section of the statute authorizing the prenatal examination?

A. I don't know where it is. It is not in that book. I never saw it. 290, 1939 laws -- this is a brand new edition. I do not know about that. Dr. Mitchell started it.

Q. He was not a member of the Legislature at that time?

A. No; he never was. He was assistant director.

Q. You say that prenatal examination requires the physician to make a return directly to the State officials?

A. It is just did he or didn't he.

Q. I am not thinking about that, I am thinking about this: In your standard certificate of birth you have on the bottom of it "Supplemental data below not a part of the legal certificate". If it is not a part of the legal certificate, then why attach it to the legal certificate, why not have it a separate certificate for your own information and not bother the town clerk with it?

A. How would I get it?

Q. Have it filed with the town clerk to forward to the

department. Put the burden on the attending physician.

A. Is it possible with five hundred doctors?
(By Chairman Tompkins)

Q. Doctors have to have certificates to practice in this State and they have certain duties to perform.

A. Of course probably one in eight or ten have no entry there, because there was no malformation or birth injuries.

Q. They could file that separately with the clerk and the clerk forward it?

A. I have a hard time getting one record; I don't know how I would do with two. I see your point. That is a public record in the town clerk's office. Now then, this law prescribes that we have the original.

Q. It says it shall not be a public record: "Such report shall be kept in a special file".

A. That is the syphilis. I mean the birth record as a whole in our file, there is no law about it. The town record is a public record, but ours over there I don't know whether they are or not.

Q. I am not worried about that. What I am trying to do is relieve these town clerks of some of the detail they have to go to, and I do not think they are very pleased about it. I think it is an unnecessary duty for them to handle.

A. This could be remedied awfully easily by the State having the original, and that is desirable. You can imagine what five hundred town clerks of varying degrees of intelligence can do to a record when they copy it, particularly

the doctor's certificate of death. The wierd things I have had to decipher. It is amazing what they will leave out. We should have the original records, because I can usually make them out. That would eliminate that objection. They could copy their part and forget the supplementary part. That is a desirable thing, no question about it. We should have the originals. They are very perishable in the country, these originals, and a great many of them are burned and lost.

(Off record)

(Witness excused)

The foregoing is a true transcript of my shorthand notes in the above matter.


Reporter.