§ 4100. Vital statistics; functions, powers and duties of the department, commissioner and public health council. 1. The department shall, except in the city of New York:

(a) have charge of the registration of births and deaths;

(b) procure the faithful registration of births and deaths;

(c) provide the necessary instructions and forms for obtaining and preserving records of births and deaths; and,

(d) be charged with the uniform and thorough enforcement of the provisions of this article throughout the state.

2. The commissioner shall:

(a) have general supervision of vital statistics;

(b) provide suitably equipped offices for the permanent and safe preservation of all records received or made under the provisions of this article;

(c) prepare, print, and supply to all registrars all forms used in registering, recording and preserving the returns, or in otherwise carrying out the purposes of this article;

(d) prepare and issue such detailed instructions, not inconsistent with the sanitary code, as may be required to procure the uniform observance of the provisions of this article and the maintenance of a good system of registration;

(e) examine the certificates received monthly and if any such are incomplete or unsatisfactory, he shall require such further information to be supplied as may be necessary to make the record complete and satisfactory;

(f) arrange, and permanently preserve the certificates in a systematic manner;

(g) prepare and maintain a complete typewritten, printed, photographic or magnetically stored index of all births and deaths registered; said index to be arranged, in the case of deaths, by the names of decedents, and in the case of births, by the names of fathers, or the names of mothers if the names of the fathers do not appear; and

(h) prescribe and prepare the necessary methods and forms for obtaining and preserving records and statistics of autopsies which are conducted by a coroner or by a medical examiner, or by his order, within the state of New York, and shall require all those performing such

autopsies, for the purpose of determining the cause of death or the means or manner of death, to enter upon such record the pathological appearances and findings embodying such information as may be prescribed, and to append thereto the diagnosis of the cause of death and the means or manner of death.

(i) upon notification by the division of criminal justice services that a person who was born in the state is a missing child, flag the certificate record of that person in such manner that whenever a copy of the record is requested, he or she shall be alerted to the fact that the record is that of a missing child. The commissioner shall also notify the appropriate registrar to likewise flag his or her records. The commissioner or registrar shall immediately report to the local law enforcement authority and the division of criminal justice services any request concerning flagged birth records or knowledge as to the whereabouts of any missing child. Upon notification by the division of criminal justice services that the missing child has been recovered, the commissioner shall remove the flag from the person's certificate record and shall notify any other previously notified registrar to remove the flag from his or her record. In the city of New York, the commissioner of the department of health for the city of New York shall implement the requirements of this paragraph.

3. The public health council may from time to time establish such rules and regulations in the sanitary code supplementary to the provisions of this article and not inconsistent therewith, as it may deem necessary, in relation to the registration of births, deaths and fetal deaths. Such rules and regulations shall be observed by all persons upon whom duties are imposed by this chapter in connection with the registration of births, deaths and fetal deaths.

4. Certified nurse practitioners completing a death certificate for a death occurring in the city of New York shall have the same authority and responsibility to complete the certificate as they would have if the death occurred outside such city; provided, however, that such responsibility shall be exercised in accordance with the rules and regulations of the city of New York.