



June 2012

# HOSPITAL PATERNITY ACKNOWLEDGMENT GUIDE

**Contact Information:**

**The PEP Liaison**

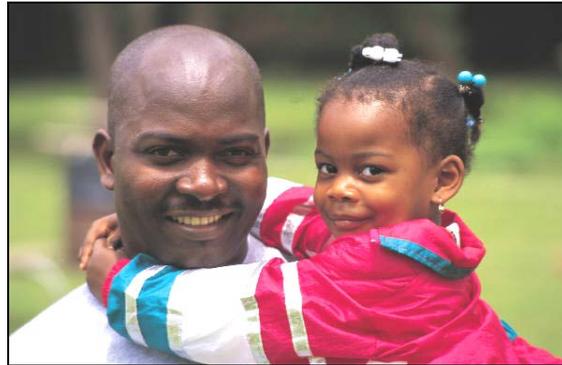
Email: [DHS-OCS-PEP@michigan.gov](mailto:DHS-OCS-PEP@michigan.gov) or call (517) 373-9202



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## WHAT IS PATERNITY ESTABLISHMENT?

- Paternity establishment is needed when a child is born to an unmarried mother and a legal father has not been determined.
- Paternity means legal fatherhood.
- Establishing paternity provides the child with a legal father.



**Acknowledgment** of paternity is the voluntary process of both parents signing a notarized [Affidavit of Parentage](#) (AOP), legally declaring the paternity of a child. The AOP is the Michigan Department of Community Health (MDCH) form [DCH-0682](#) (see Appendix A). A completed AOP sample form is also attached (see Appendix B).

**Establishment** of paternity is the legal process of determining fatherhood by court order, or acknowledgment or other method provided for under state law.

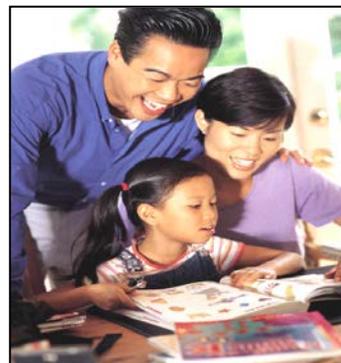
## WHY SHOULD HOSPITAL STAFF HELP WITH PATERNITY ESTABLISHMENT?

State law (Michigan Compiled Law [MCL] [333.21532](#), see Appendix C) requires hospitals to participate in the acknowledgment of paternity, which involves the completion of the AOP form. This guide is to assist hospital staff in complying with this law.

## HOW DOES ESTABLISHING PATERNITY BENEFIT CHILDREN?

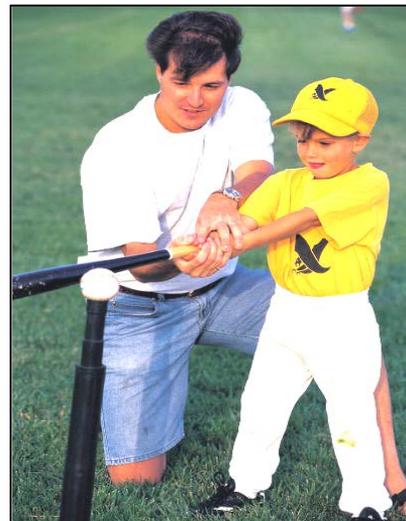
Children may be eligible for the following benefits when paternity is established:

- Child support
- Father's medical insurance
- Inheritance rights
- Life insurance
- Medical history
- Pensions
- Social Security benefits
- Veterans benefits



## Other benefits:

- Children have a need to know both parents and their family history for a sense of identity and family belonging.
- Establishing paternity means that a child born to an unmarried mother will have the same legal rights as a child born to married parents.
- Each parent can contribute to his/her child's financial and emotional security because both parents are legally and financially responsible for a child. This reduces the likelihood that either parent will have to apply for public, financial or medical assistance.
- It helps the parents gain self-sufficiency by expediting the child support process for families who may need this service. Child support is a financial resource. The income from child support may keep a child from living in poverty.



## WHAT IS THE PATERNITY ESTABLISHMENT PERCENTAGE (PEP)?

- PEP is a child support performance factor for which the Michigan child support program earns incentive money from the federal government; [Michigan receives approximately \\$26.5 million in performance incentives from the federal government each fiscal year.](#)
- The data to measure the PEP is obtained from many agencies participating in the paternity establishment process, including hospitals and the courts. The hospital's role in PEP is to promptly submit the notarized [Affidavit of Parentage](#) (AOP) to the [Michigan Department of Community Health](#).
- Establishing paternity in at least **90 percent** of non-marital births allows Michigan to earn 100 percent of incentive money for this factor and avoid federal penalties.
- The statewide PEP is the number of children born to unmarried parents in Michigan who have paternity established, divided by the number of children born to unmarried parents in the previous year.
- Michigan's Statewide PEP for fiscal year 2011 was 91.5 percent. Statewide PEP includes hospital paternity acknowledgments, court orders establishing paternity (child support and adoptions) and individual [Affidavits of Parentage](#) (AOP) submitted by parents.
- The hospital PEP, which is different than the statewide PEP, is measured by calculating current unwed births with current paternity acknowledgments for these births.

## ARE THERE PENALTIES ASSOCIATED WITH PEP?

A penalty can be assessed against the state's Temporary Assistance for Needy Families (TANF) grant if the child support program does not maintain the required 90 percent PEP rate. If Michigan fails to meet the 90 percent PEP rate, the penalty can be millions of dollars.

## WHAT'S THE CURRENT STATUS OF PEP?

Michigan's statewide PEP for 2011 was 91.5 percent. The average PEP for all Michigan hospitals was 63.8 percent. The goal for hospital PEP is for each hospital to **improve to 75 percent** or better. This, combined with court determinations, will help keep the state PEP rate at 90 percent or above!

## HOW CAN HOSPITAL STAFF HELP FAMILIES WITH THE [AOP](#) PROCESS?

Hospital staff should assist unmarried parents to complete the [Affidavit of Parentage](#) (AOP) when a child is born to an **unmarried mother** so the child can have all the same legal and financial rights as a child born to married parents. The following chart provides typical scenarios and information to help determine when to complete (or NOT to complete) an [AOP](#).

## Essential Questions Regarding Completion of an AOP

### Questions to ask the Mother

Yes

No

### When to Complete or NOT to Complete an AOP

Is the mother married to the biological father of the child?	Yes		Do <b>NOT</b> complete the <a href="#">AOP</a> . The mother's husband is the child's legal father, no <a href="#">AOP</a> is needed.
		No	If the mother is unmarried, the parents should complete the <a href="#">AOP</a> .
Is the mother married to someone other than the biological father?	Yes		Do <b>NOT</b> complete the <a href="#">AOP</a> . The mother's husband is the legal father of any child born during the marriage. The mother must obtain a final court order stating the husband is not the father of the child before the mother and the biological father should complete the <a href="#">AOP</a> .
		No	If the mother is <b>unmarried</b> , the parents should complete the <a href="#">AOP</a> .
Is the mother divorced?	Yes		If the mother was divorced more than 10 months before the child's birth, then the child is <b>NOT</b> considered a child of the marriage. If the mother is <b>currently unmarried</b> , the parents should complete the <a href="#">AOP</a> .
		No	If the mother is <b>married</b> , the mother's husband is the legal father of any child born during the marriage. Prior to the biological parents completing the AOP, the mother must obtain a final court order stating her husband is not the father of the child.
Has the mother been divorced <b>within</b> the last 10 months?	Yes		If the mother was divorced within 10 months prior to the child's birth, the child is considered a child of that marriage. The mother's ex-husband is the legal father until the couple obtains a final court order stating the ex-husband is not the father of the child. The parents should <b>NOT</b> complete the <a href="#">AOP</a> .
		No	If the mother is <b>married</b> , the mother's husband is the legal father of any child born during their marriage. Prior to the biological parents completing the <a href="#">AOP</a> , the mother must obtain a final court order stating the husband is not the father of the child.
Has the mother been divorced <b>for more</b> than 10 months?	Yes		If the mother is <b>unmarried</b> and was divorced more than 10 months prior to the child's birth, then the child is <b>NOT</b> considered a child of her previous marriage. The parents should complete the <a href="#">AOP</a> .



## GUIDELINES TO KEEP YOUR HOSPITAL IN COMPLIANCE:

- Provide parents with the [Affidavit of Parentage](#) (AOP) form and the following Department of Human Services (DHS) publications (see Appendix D for the publication order list):
  - [What Every Parent Should Know About Establishing Paternity - DHS Pub-780](#),
  - [Fatherhood – Taking Responsibility for Your Child - DHS Pub-806](#); and
  - [DNA Paternity Testing - DHS Pub-865](#).
- Show parents the paternity DVD, “The Power of Two” (see Appendix D to order this DVD).
- Ensure parents understand the consequences, rights, and responsibilities appearing on the [AOP](#) form.
- Offer the use of hospital notary public services. Have a notary available in the evening hours, or have other hospital staff become notaries.
- Hold the [AOP](#) until both parents provide identification.
- Fill out the [AOP](#) form electronically at the hospital, and file the hard-copy version of the [AOP](#) with the Michigan Department of Community Health (MDCH) as quickly as possible.
- Provide **one** copy of the completed [AOP](#) form to each parent (if parents return, after the child has left the hospital, and request additional copies of the [AOP](#) refer them to the [MDCH](#) Vital Records Office at 517-335-8666 or suggest they complete the [Application for a certified copy Michigan Affidavit of Parentage record](#) from the [MDCH](#) website.)
- If parents **do not complete** the [AOP](#), print the [AOP](#) form and give it to the parents and also provide the sample AOP form (Appendix B).
- Parents may opt to take a blank [AOP](#) form home, but [MDCH](#) will charge a fee to amend the birth certificate ([ADD A FATHER ON A MICHIGAN BIRTH RECORD](#)) later. If the parents decide to take the [AOP](#) form home, the parents are responsible for sending the completed [AOP](#) form to the [MDCH](#).
- For additional child support assistance, or, for questions about genetic/DNA tests, or questions about the [Child Support Services Application/Referral form](#) (Appendix F) provide parents with the Office of Child Support toll-free phone number **1-866-540-0008**.
- Hospitals may follow the sample script (Appendix H) for acknowledgments or schedule an appointment with the parents for a later time (Appendix I).
- Post paternity establishment informational flyers in birthing areas or OB/GYN offices to help parents learn the process prior to the birth of their child (see appendices K and L).

## Important Information Regarding the AOP Form

- The [AOP](#) must **not** contain corrections.
- Please provide hospital contact information and a return address in case [MDCH](#) needs to contact hospital staff members about the [AOP](#) form for any reason.
- The man the mother is married to is legally the father of a child unless a final court order (specifically naming the child) states the husband is not the child's father. When [MDCH](#) receives an [AOP](#) listing **someone other than the husband as the father, and the mother is not divorced**, [MDCH](#) will send the mother a letter citing Michigan Compiled Law [333.2824](#).
- Make sure the [AOP](#) form is complete. [MDCH](#) will reject the [AOP](#) if the form is missing information. This is one reason for lower Paternity Establishment Percentages (PEP) rates.
- Parents can sign the [AOP](#) at separate times and in front of different notaries. This may be particularly useful if one of the parents is:
  - Working;
  - Away from the home;
  - Is in the military; or
  - In jail.
- There is no time limitation for using the [AOP](#) – the parents can complete the [AOP](#) to establish paternity even when their child is an adult.
- The [AOP](#) requires the parents' signatures be notarized, rather than witnessed.

## Notary Public Information

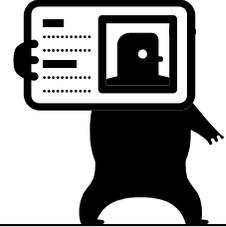
Hospital staff members who have questions about the notary rules should contact the Department of State, [Office of the Great Seal](#). See page 11 of this document for additional notary information.



## Questions About Completing the [Affidavit of Parentage](#) (AOP) Form

### 1. What happens if either the father or mother does not have appropriate identification (ID)?

**Answer** – Appropriate identification is a valid photo ID that is recognized by the State of Michigan. Explain to both parents that they must have a current, valid picture ID. (Driver’s License, State ID, Passport, high school id card, valid or expired for less than one year)



### 2. What if there are concerns about fees regarding the [Affidavit of Parentage](#) (AOP) form?

**Answer** – Emphasize that there are no fees for completing the [AOP](#) or adding the father’s name to the birth record **when the [AOP](#) is completed at the hospital at the time of birth.**



### 3. Can hospital staff help parents complete an [AOP](#) if the father is in prison?

**Answer** – The Michigan Prison Wardens and Sheriffs approved a procedure for processing the [AOP](#) forms received from Michigan birthing hospitals. Hospital staff will determine the prison or jail location for the alleged father and send a letter (see Appendix G) to that prison or jail, along with:



- The [AOP](#).
- [What Every Parent Should Know About Establishing Paternity - DHS Pub-780](#).
- A letter of explanation (See Appendix G).
- A self-addressed stamped envelope to the attention of the Warden’s Administrative Assistant/Jail Administrator at that prison or jail.

When the Warden’s Administrative Assistant/Jail Administrator receives these materials, (s)he will:

- Present the incarcerated alleged father with the [AOP](#) form and the pamphlet [What Every Parent Should Know About Establishing Paternity - DHS Pub-780](#).
- Review the [AOP](#) form and pamphlet with the incarcerated alleged father, if requested.
- Have a notary witness the incarcerated father’s signature, if he decides to sign the [AOP](#).
- Send the [AOP](#) back to the hospital in the envelope provided; or
- Send the unsigned [AOP](#) back to the hospital indicating the prisoner declined to sign the form, when the incarcerated alleged father refuses to acknowledge the child.

When hospital staff receive the [AOP](#) from the prison, file the completed [AOP](#) with MDCH.

## Questions About Completing the [Affidavit of Parentage \(AOP\)](#) Form

### 4. Will prison/jail staff return the [AOP](#) form quickly?

**Answer** – Yes, prison/jail staff recognize the necessity of getting the [AOP](#) returned promptly. Hospital staff may contact the prison if they have not received a response – telephone numbers and addresses for the prisons are available on the [Offender Tracking Information System \(OTIS\)](#) website. The Michigan Department of Corrections (MDOC) maintains the [OTIS](#) website with information about offenders previously or currently under the jurisdiction or supervision of the MDOC. The information in this database is strictly about people in Michigan prisons (not Michigan jails).

### 5. What information should medical records staff request from the mother about the incarcerated father to use the [OTIS](#) website?

**Answer** – To perform an accurate search on [OTIS](#), especially if the father has a common name (e.g., Thomas Jones, Robert Williams, etc.) staff should ask the mother for the following information:

Father's name	Father's date of birth	Father's race
Name of the prison	Father's prisoner number	

### 6. What to do if the father is in the military?

**Answer** – If the father is in the military, contact the appropriate agency listed below. Send correspondence to the father's commanding officer requesting assistance with completion of the [AOP](#) form. The commanding officer can help the father to sign the [AOP](#) form, or the mother can call **1-866-540-0008** to apply for child support, and a child support worker will assist in locating the father.



#### Military Contacts

[Army Office of the Judge Advocate General](#), Attn: DAJA- LA, 2200 Army Pentagon, Washington, DC 20310; Phone: (703) 588-6708.

[Navy Office of the Judge Advocate General](#) (Code 16), 1322 Patterson Avenue, SE, Suite 3000, Washington Navy Yard, DC 20374-5066; Phone: (202) 685-4637.

[Marine Corps Headquarters, USMC](#), Code MMSB-17, 2008 Elliot Road, Room 201, Quantico, VA 22134-5030; Phone: (703) 784-3942.

[U.S. Air Force Office of the Judge Advocate General](#), AFLSA/JACA, 1420 Air Force Pentagon, Washington, DC 20330-1420; Phone: (703) 697-0413.

[Coast Guard Office of the Judge Advocate General](#), United States Coast Guard, Personnel Service Center, 444 SE Quincy Street, Topeka, KS 66683;

### 7. Is sending the [AOP](#) to the prison warden or to the father's commanding officer in the military a Health Insurance Portability and Accountability Act ([HIPAA](#)) violation?

**Answer** – The mother's signature on the [AOP](#) is considered as consent to release the information to the father or the father's agent. If [HIPAA](#) is a concern, the [HIPAA Disclosure Authorization Form](#) (Appendix J) can be used.

## Questions About Completing the [Affidavit of Parentage](#) (AOP) Form

### 8. What if the father did not come to the hospital for the child's birth?

**Answer** – Ask the mother if she is willing to provide a phone number where the father can be reached. If the mother is willing to allow you to make this connection, contact the father and ask him to come to the hospital. Be sure to ask that he bring a picture ID. ***If the mother does not want to see him at the birth, ask him to come at a different time***, or the mother can call **1-866-540-0008** to apply for child support, and a child support worker will assist in locating the father.

### 9. What are the parents' rights and responsibilities?

**Answer** – The parents' rights and responsibilities are listed on the [Affidavit of Parentage](#) (AOP) form and also in [MCL 722.1007](#) of the Acknowledgment of Parentage Act:

The acknowledgment of parentage form shall include at least all of the following written notices to the parties:

- (a) The acknowledgment of parentage is a legal document.
- (b) Completion of the acknowledgment is voluntary.
- (c) The mother has initial custody of the child, without prejudice to the determination of either parent's custodial rights, until otherwise determined by the court or agreed by the parties in writing and acknowledged by the court. This grant of initial custody to the mother shall not, by itself, affect the rights of either parent in a proceeding to seek a court order for custody or parenting time.
- (d) Either parent may assert a claim in court for parenting time or custody.
- (e) The parents have a right to notice and a hearing regarding the adoption of the child.
- (f) Both parents have the responsibility to support the child and to comply with a court or administrative order for the child's support.
- (g) Notice that signing the acknowledgment waives the following:
  - (i) Blood or genetic tests to determine if the man is the biological father of the child.
  - (ii) Any right to an attorney, including the prosecuting attorney or an attorney appointed by the court in the case of indigency, to represent either party in a court action to determine if the man is the biological father of the child.
  - (iii) A trial to determine if the man is the biological father of the child.
- (h) That in order to revoke an acknowledgement of parentage, an individual must file a claim as provided under Michigan Compiled Law [722.1011](#).

### 10. How quickly is the [AOP](#) filed with the [Michigan Department of Community Health](#) (MDCH)?

**Answer** - Explain that the hospital electronic filing is nearly instantaneous. However, the [AOP](#) filing is a pending [AOP](#) record in the Central Paternity Registry until the hard copy of the [AOP with the notarized signatures](#) is received by [MDCH](#).

## Questions About Completing the [Affidavit of Parentage](#) (AOP) Form

### 11. What if the father doesn't think it's important to sign the form?

**Answer** – Explain that by signing the [AOP](#), the child will have two legal parents, and rights to benefits (e.g., Medical Insurance and Social Security). The father will also have the same rights as a married father, including the right to make medical care decisions for the child.

### 12. What if the father doesn't want to take financial responsibility for the child?

**Answer** – Explain that even if the father decides not to sign the [AOP](#) at this time, the mother can complete a [Child Support Services Application/Referral form](#) (Appendix F), and a child support case will be opened if appropriate. Either parent may call **1-866-540-0008** to request an application for child support.

### 13. Is there a fee to complete the [AOP](#) form in locations other than the hospital?

**Answer** – There is no fee to complete the [AOP](#) at the time of birth in the hospital and no fee to complete the form at other locations, but there is a cost of \$50 to [Add a Father on a Michigan Birth Record](#) at a later date. Parents must send the [AOP](#) form to the [Michigan Department of Community Health](#) (MDCH) for the [AOP](#) to be registered in the Central Paternity Registry.

### 14. How do parents request a certified copy of the [AOP](#) form, and is there a fee?

**Answer** – Yes, parents may complete the [Application for a certified copy Michigan Affidavit of Parentage record](#), a certified copy is \$34; additional copies ordered at the same time are \$16.

### 15. Can the \$50 fee for adding the father's name be waived for low-income DHS clients?

**Answer** – No.

### 16. What is considered "valid identification"?

**Answer** – According to the Department of State, [Office of the Great Seal](#), the notary public **must** identify the individual either **from personal knowledge or satisfactory evidence**. If the notary does not personally know the individual who is requesting a notarial act, (s)he must ask to see a driver's license, passport, state-issued personal identification card or high school id. The notary can also identify an individual upon the oath or affirmation of a credible witness if the notary personally knows the witness and the witness personally knows the individual.

### 17. Can a married woman complete an [AOP](#) with a biological father (not her husband)?

**Answer** – Only after the mother provides a final court order **specifically stating her husband is not the father of the child in question, otherwise**, the husband must be listed as the father of the child. Court statements such as there being no children of the marriage or being silent about the newborn are **not sufficient** to avoid naming the mother's husband as the father for the child on the birth certificate.

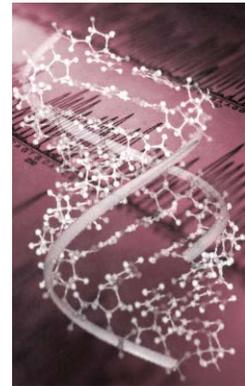
## Questions About Completing the [Affidavit of Parentage \(AOP\)](#) Form

### 18. Can parents complete the [AOP](#) later, after the newborn leaves the hospital?

**Answer** – Yes, the [AOP](#) is available on the [Michigan Department of Community Health \(MDCH\)](#) website (see Appendix A). Parents must have the form notarized before filing the [AOP](#) with MDCH. In addition, the father’s name will **not** appear on the initial birth certificate when the form is completed after the hospital files the initial birth record. After the hospital files the initial birth record, the parents must pay a \$50 fee to correct the birth certificate and complete the application to [Add a Father on a Michigan Birth Record \(DCH-0848\)](#) to have the name of the father added to the birth record.

### 19. What if the alleged father wants a DNA test?

**Answer** – Provide a copy of the DHS-865, [DNA-Paternity Testing Questions and Answers](#) (see Appendix D). This publication explains how paternity testing is completed, including how samples are collected, the approximate cost of the procedure, the legal meaning of a DNA blood test, and how confidentiality is handled. This publication is also available in Spanish. DHS-780, [What Every Parent Should Know About Establishing Paternity](#) is helpful in explaining paternity establishment and is also available in Spanish. Parents with any paternity or child support questions may call the Office of Child Support at **1-866-540-0008**.



### 20. Is there a fee for the DNA genetic test?

**Answer** – Yes, through the Prosecuting Attorney’s (PA’s) office, the DNA test is \$21.90 per person tested (father, mother and baby) and a \$5 per person sample collection fee. If the alleged father is not excluded (meaning he is the father), then the father is usually court ordered to repay the state for the genetic test(s). A court will determine who pays for the genetic testing and fees as part of the child support order. Parents may go to a laboratory (rather than the PA office) to get a DNA test done, but the genetic testing cost(s) may be higher and the test results may not be admissible in a court proceeding.

### 21. When does the AOP form become a “legal document”?

**Answer** – The [AOP](#) is considered a “legal document” in Michigan once both parents and a notary public have completed and signed the [AOP](#). Even if the parents **never** file the [AOP](#) with the Michigan Department of Community Health ([MDCH](#)), it is considered a “legal document.” The DHS Office of Child Support recommends filing the [AOP](#) with [MDCH](#) as soon as possible. This will ensure there is a record of the [AOP](#) in the MDCH Central Paternity Registry.

### 22. Are there legal penalties for misstatements or false information on the [AOP](#)?

**Answer** – There is usually no legal penalty, but a charge of fraud could be filed.

### 23. What if there is incorrect information on the [AOP](#)?

**Answer** – If the AOP was completed fraudulently or in error, a court can nullify the form.

## Questions About Completing the [Affidavit of Parentage](#) (AOP) Form

24. Will [MDCH](#) accept incomplete or partially completed [AOP](#) forms?

**Answer** – No.

25. Who can parents call with questions about the [AOP](#), child support, or legal rights?

**Answer** – Parents can call the toll-free telephone number for the Office of Child Support: **1-866-540-0008**.

26. What if one or both parents changed their mind or think the man is not the father of the child at a later date?

**Answer** – Disestablishment of paternity is a complex legal action requiring an attorney and court action. Disestablishment is only possible when a claim for revocation is supported by an affidavit signed by the claimant setting forth one of the following facts:

- Mistake of fact;
- Newly discovered evidence that by due diligence could not have been found before the AOP was signed;
- Fraud;
- Misrepresentation or misconduct; or
- Duress in signing the AOP.

The claimant (father or mother) must comply with Michigan Compiled Law [722.1011](#).



**Help families by providing paternity information and sending newborn children home with two legal parents!**

**Remember:** Follow-up, follow-up, follow-up is the key to increasing your hospital's Paternity Establishment Percentage.

# Paternity Establishment Percentage Contact Information

Ellen Wood - PEP Outreach Liaison  
235 S. Grand Ave., Suite 801  
Lansing, MI 48909  
(517) 373-0275 or  
[DHS-OCS-PEP@michigan.gov](mailto:DHS-OCS-PEP@michigan.gov)



## For Parents:

- **Establishing child support or child support applications:** Contact child support specialists at the following toll-free number: **1-866-540-0008**.
- **Voluntary acknowledgment of paternity:** Contact the local Department of Human Services (DHS) county office. [DHS Local Office Information](#)
- **Establishing paternity, obtaining genetic testing or court orders:** Contact child support specialists at this toll-free number: **1-866-540-0008**.
- **Enforcement of a court order or custody and visitation concerns:** Contact the [county Friend of the Court office](#).

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## Websites for Further Information

Michigan Department of Community Health website:  
<http://www.michigan.gov/mdch>

*Affidavit of Parentage (AOP) form:*  
[http://www.michigan.gov/documents/Parentage\\_10872\\_7.pdf](http://www.michigan.gov/documents/Parentage_10872_7.pdf)

Michigan Department of Human Services website:  
<http://www.mi.gov/dhs>

Link to statistics of birthing hospitals statewide:  
[http://www.mi.gov/documents/dhs/Hospital\\_Stats\\_CY\\_2010\\_354232\\_7.pdf](http://www.mi.gov/documents/dhs/Hospital_Stats_CY_2010_354232_7.pdf)

Federal Office of Child Support Enforcement:  
<http://www.acf.hhs.gov/programs/cse/>



STATE OF MICHIGAN  
DEPARTMENT OF COMMUNITY HEALTH  
Division for Vital Records and Health Statistics

State File Number \_\_\_\_\_

**AFFIDAVIT OF PARENTAGE**  
(PLEASE PRINT OR TYPE)

We affirm under penalty of perjury that we are the natural parents of:

\_\_\_\_\_  
(First) (Middle) (Last)  
who was born in \_\_\_\_\_ on \_\_\_\_\_  
(Hospital Name, City, County, State) (Date of Birth)

and that we sign this affidavit to establish the paternity for this child. We hereby consent that the name of the natural father may be included on the certificate of birth for the child.

We wish the child's name to be recorded as:

\_\_\_\_\_  
(First) (Middle) (Last)

In signing this form, we understand that:

- (a) This is a legal document.
- (b) Completion of the affidavit is voluntary.
- (c) The mother has initial custody of the child, without prejudice to the determination of either parent's custodial rights, until otherwise determined by the court or agreed upon by the parties in writing and acknowledged by the court. This grant of initial custody to the mother shall not, by itself, affect the rights of either parent in a proceeding to seek a court order for custody or parenting time.
- (d) Either parent may assert a claim in court for parenting time or custody.
- (e) Both parents have a right to notice and a hearing regarding the adoption of the child.
- (f) Both parents have the responsibility to support the child and to comply with a court or administrative order for the child's support.
- (g) By signing this affidavit, we waive the following:
  - (i.) The right to blood or genetic tests to determine if the man is the biological father of the child.
  - (ii.) Any right to a court appointed attorney, including the Prosecuting Attorney, to represent either party in a court action to determine if the man is the biological father of the child.
  - (iii.) The right to a trial to determine if the man is the biological father of the child.
- (h) In order to revoke the Affidavit of Parentage, an individual must file a claim as provided under the Revocation of Paternity Act (Michigan Compiled Law [MCL] 722.1437).

Further, the mother states that she was not married when this child was born or conceived; or that this child, though born or conceived during a marriage, is not an issue of that marriage as determined by a court of law.

**FATHER**

**MOTHER**

Name \_\_\_\_\_  
(Father's Name - Printed)

Name \_\_\_\_\_  
(Mother's Name - Printed)

Current Address \_\_\_\_\_  
Number and Street Name  
City \_\_\_\_\_ State \_\_\_\_\_ ZIP Code \_\_\_\_\_

Current Address \_\_\_\_\_  
Number and Street Name  
City \_\_\_\_\_ State \_\_\_\_\_ ZIP Code \_\_\_\_\_

Date of Birth \_\_\_\_\_

Date of Birth \_\_\_\_\_

State or Country of Birth \_\_\_\_\_

State or Country of Birth \_\_\_\_\_

Social Security Number \_\_\_\_\_

Social Security Number \_\_\_\_\_

To the best of my knowledge, the above information is true

To the best of my knowledge, the above information is true

\_\_\_\_\_  
(Signature of Father)

\_\_\_\_\_  
(Signature of Mother)

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Notary Public in and for \_\_\_\_\_ County, Michigan.

Notary Public in and for \_\_\_\_\_ County, Michigan.

Acting in the County of \_\_\_\_\_.

Acting in the County of \_\_\_\_\_.

Notary Public's Signature \_\_\_\_\_

Notary Public's Signature \_\_\_\_\_

Notary Public's Name - Printed or Typed \_\_\_\_\_

Notary Public's Name - Printed or Typed \_\_\_\_\_

My commission expires \_\_\_\_\_

My commission expires \_\_\_\_\_

## AFFIDAVIT OF PARENTAGE Instructions

This form can be used to establish the parentage of a child and may be used to have information on the father of a child added to the certificate of birth for the child. This affidavit may be completed at the time of the child's birth or at any other time after the birth.

It is intended for use by couples who were not married at the time the child was conceived nor at the time of birth. In instances where the mother was married to someone other than the father when the child was conceived or delivered, a court ruling of her husband's nonpaternity is necessary in order to first establish that the child is not the husband's child.

Completion of this affidavit is voluntary. It indicates the parents wish to acknowledge parentage of a child. The form may be used by parents who were not married when the child was born or when the child was conceived to legally establish their parentage of a child.

Proper completion of the form is very important. Forms that are not properly completed will not be accepted for filing. The form must be legible, must be typed or printed in ink, must be signed by both parents, and must be properly notarized. At a minimum, the following items must be provided: the full names of the child, the mother and the father, the date and place of the child's birth, the address of each parent, and the birth places of each parent.

There is no fee for filing the affidavit with the Central Paternity Registry. Once filed, copies of the affidavit can be obtained by either parent, by the child, or a guardian or legal representative of a parent or the child. Certified copies of the affidavit are available from the central registry for \$34.00 (additional copies are \$16.00 each) and can be requested at the time of filing.

### Adding a Father to the Birth Certificate --

**Establishing Paternity at the Hospital** – If this affidavit is completed at the time of birth and provided to hospital staff before the birth certificate is prepared and filed, the birth certificate will be completed to include the father with no need for a separate application or fee. When completed at the time of birth and used as the basis for recording the father on the original certificate of birth, hospital staff must forward the original affidavit, along with the original birth certificate, to the local registrar. The local registrar will forward the affidavit to the Central Paternity Registry for final filing.

**Establishing Paternity After Leaving the Hospital** – Birth certificates are not automatically changed when an affidavit is filed except when completed in the hospital at the time of the birth and before the birth has been registered. Changes to registered birth records can be requested based upon a properly completed affidavit and an Application to Add a Father on a Michigan Birth Record (form DCH-0848). If the affidavit is going to be used to add the father's name to a Michigan birth record, the affidavit **should not be mailed to the Central Paternity Registry** but should be mailed along with the corrected application to add the father to the address listed on the application. A birth record can be changed to reflect the father listed on the affidavit if no other man is recorded on the record as the child's father. Should a conflict exist, a court determination of paternity may become necessary.

There is a fee for each birth record change, as is noted in the payment section of the correction application. An application to correct a birth certificate is available from the office of the county clerk, the State Vital Records office recorded message (517) 335-8656, or can be downloaded from the Michigan Department of Community Health website at: [www.michigan.gov/documents/add\\_dad\\_6589\\_7.pdf](http://www.michigan.gov/documents/add_dad_6589_7.pdf)

To file the affidavit and request a copy and/or to change the birth record, mail the completed affidavit, the required fee and, for a birth record change, a completed Application to Add a Father on a Michigan Birth Record (form DCH-0848) to:

Vital Records Changes  
P.O. Box 30721  
Lansing, MI 48909

To simply file the affidavit to establish paternity and not request a copy or a change to the birth record, mail to:

Central Paternity Registry  
Vital Records and Health Statistics Section  
Michigan Department of Community Health  
P.O. Box 30691  
Lansing, MI 48909

(Completion of this form is voluntary.)

ALTERATION OF THIS FORM OR THE MAKING OF FALSE STATEMENTS WITH THE AFFIDAVIT FOR THE PURPOSES OF DECEPTION IS A CRIME. [MCL 333.2894]

DCH-0682 (Rev 10/2013) By authority of Act 305 of 1996 as amended.

# AFFIDAVIT of PARENTAGE (AOP) SAMPLE FORM

For use with DCH-0682

Please read pages 1 and 2 of the AOP **thoroughly** before completing it.



STATE OF MICHIGAN  
DEPARTMENT OF COMMUNITY HEALTH  
Division for Vital Records and Health Statistics

State File Number \_\_\_\_\_

## AFFIDAVIT OF PARENTAGE

(PLEASE PRINT OR TYPE)

We affirm under penalty of perjury that we are the natural parents of:

Brady | William | Baby  
(First) | (Middle) | (Last)  
who was born in Sparrow Hospital | Lansing | Ingham | MI | on 05/01/2014  
(Hospital Name, City, County, State) | (Date of Birth)

and that we sign this affidavit to establish the paternity for this child. We hereby consent that the name of the natural father may be included on the certificate of birth for the child.

We wish the child's name to be recorded as:

Brady | William | Baby  
(First) | (Middle) | (Last)

In signing this form, we understand that:

- (a) This is a legal document.
- (b) Completion of the affidavit is voluntary.
- (c) The mother has initial custody of the child, without prejudice to the determination of either parent's custodial rights, until otherwise determined by the court or agreed upon by the parties in writing and acknowledged by the court. This grant of initial custody to the mother shall not, by itself, affect the rights of either parent in a proceeding to seek a court order for custody or parenting time.
- (d) Either parent may assert a claim in court for parenting time or custody.
- (e) Both parents have a right to notice and a hearing regarding the adoption of the child.
- (f) Both parents have the responsibility to support the child and to comply with a court or administrative order for the child's support.
- (g) By signing this affidavit, we waive the following:
  - (i.) The right to blood or genetic tests to determine if the man is the biological father of the child.
  - (ii.) Any right to a court appointed attorney, including the Prosecuting Attorney, to represent either party in a court action to determine if the man is the biological father of the child.
  - (iii.) The right to a trial to determine if the man is the biological father of the child.
- (h) In order to revoke the Affidavit of Parentage, an individual must file a claim as provided under the Revocation of Paternity Act (Michigan Compiled Law [MCL] 722.1437).

Further, the mother states that she was not married when this child was born or conceived; or that this child, though born or conceived during a marriage, is not an issue of that marriage as determined by a court of law.

### FATHER

Name David Daddy  
(Father's Name - Printed)  
555 Elm Street  
Current Address Number and Street Name  
Lansing MI 48910  
City State ZIP Code  
Date of Birth 06/01/1980  
State or Country of Birth Michigan  
Social Security Number 999-99-9999  
To the best of my knowledge, the above information is true

(Signature of Father)

Subscribed and sworn to before me this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.  
Notary Public in and for \_\_\_\_\_ County, Michigan.  
Acting in the County of \_\_\_\_\_  
Notary Public's Signature \_\_\_\_\_  
Notary Public's Name - Printed or Typed \_\_\_\_\_  
My commission expires \_\_\_\_\_

DCH-0682 (Rev 10/2013) By authority of Act 305 of 1996 as amended.

### MOTHER

Name Maria Mommy  
(Mother's Name - Printed)  
123 Wood Road  
Current Address Number and Street Name  
Lansing MI 48911  
City State ZIP Code  
Date of Birth July 1, 1982  
State or Country of Birth Michigan  
Social Security Number 999-99-9999  
To the best of my knowledge, the above information is true

(Signature of Mother)

Subscribed and sworn to before me this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.  
Notary Public in and for \_\_\_\_\_ County, Michigan.  
Acting in the County of \_\_\_\_\_  
Notary Public's Signature \_\_\_\_\_  
Notary Public's Name - Printed or Typed \_\_\_\_\_  
My commission expires \_\_\_\_\_

**Black or blue** ink is preferred.

Please **print carefully** and exactly using uppercase and lowercase letters appropriately.

There can be **no mistakes**, write overs, erasures, or ~~cross-outs~~.

**Parents should NOT SIGN LINES 8 OR 9** until they are in the presence of a notary. Parent(s) must provide proper identification.

Appendix B

**PUBLIC HEALTH CODE (EXCERPT)**  
**Act 368 of 1978**

Michigan Compiled Law [333.21532](#) **Acknowledgment of parentage.** Sec. 21532.

(1) A hospital shall provide to an unmarried mother of a live child born in that hospital an acknowledgment of parentage form that can be completed by the child's mother and father to acknowledge paternity of the child as provided in the acknowledgment of parentage act. The hospital shall provide to the parents the information developed as required by subsection (2) on the purpose and completion of the form and on the rights and responsibilities of the parents. Execution of an acknowledgment of parentage as provided in the acknowledgment of parentage act establishes the child's legal paternity. The hospital shall forward a completed acknowledgment of parentage to the state register for recording.

(2) The department shall develop and distribute free of charge to hospitals the acknowledgment of parentage form, the information on the purpose and completion of the form, and the information on the rights and responsibilities of the parents. The hospital shall provide assistance and training to hospital staff assigned responsibility for obtaining the forms, as appropriate. The acknowledgment of parentage form and information shall clearly state that completion of the form is voluntary on the part of the mother and father, and shall include all of the notices as provided in section 7 of the acknowledgment of parentage act. The hospital shall provide each parent with a copy of the completed form.

(3) A hospital is immune from civil or criminal liability for providing the form required by this section, the information developed as required by this section, or otherwise fulfilling its duties under this section.

**History:** Add. 1993, Act 116, Eff. Jan. 21, 1993;-- Am. 1996, Act 6, Eff. June 1, 1996 ; - Am. 1996, Act 307, Eff. June 1, 1997

**Popular Name:** Act 368

**OFFICE OF CHILD SUPPORT  
PUBLICATION ORDER LIST**

The following publications are available to the public free of charge. Anyone requesting these publications must complete the "Requester Information" section below, indicate the quantity requested in the shaded area of the table, and send the request to:

Michigan Department of Human Services  
Forms & Mail Management  
Grand Tower Suite 1207  
P.O. Box 30037  
Lansing, MI 48909  
Call: 517-373-7837

**Requester Information:**

Organization	Date
Name	
Mailing Address Line1	
Mailing Address Line2	
City, State, Zip	

<u>Order Quantity</u>	<u>Publication Number</u>	<u>Title</u>
	Pub-738	"You Are Special" COLORING BOOK <b>call 517-373-9202 to order</b>
	Pub-748	"Understanding Child Support A Handbook for Parents"
	Pub-748-SP	"Understanding Child Support: A Handbook for Parents" (Spanish Version)
	Pub-780	"What Every Parent Should Know About Establishing Paternity"
	Pub-780-SP	"What Every Parent Should Know About Establishing Paternity" (Spanish Version)
	Pub-806	"Fatherhood: Taking Responsibility for Your Child"
	Pub-849	"Kids need to know their DAD." Establish paternity POSTER
	Pub-850	"Your Child...Is about to become a parent."
	Pub 865	"DNA - Paternity Testing Questions and Answers"
	Pub 865-SP	"DNA - Paternity Testing Questions and Answers" (Spanish Version)
	FIA 4821	Spanish Language Worksheet (Affidavit of Parentage form DCH-0682-SP)
	----	"The Power of Two: Voluntarily Acknowledging Paternity" DVD <b>call 517-373-9202 to order</b>
	----	"The Power of Two: Voluntarily Acknowledging Paternity" (Spanish Version) DVD <b>call 517-373-9202 to order</b>

Appendix D

## Paternity Acknowledgment Information

### Where can unmarried parents voluntarily acknowledge paternity?

#### AT BIRTHING HOSPITALS:

- Both parents can sign an [Affidavit of Parentage](#) (AOP) form in the hospital at birth, and the father's name may be added to the birth record **FREE** of charge up until the hospital files the birth certificate.
- Paternity can be established at a later date for no charge, but in Michigan a fee is required to [add a father on a Michigan birth record](#) (see below for father information).
- **BOTH PARENTS MUST HAVE VALID PHOTO IDENTIFICATION.**



#### AT A DEPARTMENT OF HUMAN SERVICES (DHS) OFFICE:

- Contact the [DHS Local Office](#).
- You do not need to be on public assistance to seek help.
- **BOTH PARENTS MUST HAVE VALID PHOTO IDENTIFICATION.**

#### AT A REGISTRAR'S OFFICE:

- Request assistance from the local Registrar's office in the county of the child's birth.
- **BOTH PARENTS MUST HAVE VALID PHOTO IDENTIFICATION.**

#### PARENTS CAN COMPLETE THE AOP ON THEIR OWN:

- Obtain the [Affidavit of Parentage](#) Form DCH-0682 from the [MDCH](#) website.
- Follow the AOP instructions (see page 16 of this guide).
- Obtain notarization of both signatures (**valid photo identification is required**).
- **File the [AOP](#)** by mailing it to the correct address listed on the [AOP](#) instruction page (see page 16).

Parents must pay fees and complete additional MDCH forms when adding the father's name or correcting information on the birth certificate after the hospital has filed the child's initial birth certificate.

ACTION	MDCH FORM NUMBER and PURPOSE	FEE
Change father's name	Form <a href="#">DCH-0847</a> , used <b>only</b> to <b>update</b> an existing name.	YES
Add father's name	Form <a href="#">DCH-0848</a> , used <b>only</b> to <b>add</b> a father, not replace/update a father.	YES
Remove father's name Replace father's name	Form <a href="#">DCH-0849</a> , used when the father listed on the birth certificate is determined by the court not to be the father or is the incorrect father.	YES

Call **1-866-540-0008** to request a child support application, or for genetic testing (DNA) questions or general child support information.

## Child Support Services

**Can parents apply for child support services for their child(ren) if they currently receive, or have received in the past, public assistance?**

If parents or their children **currently receive public assistance**, they do not need to apply for child support, services are automatically provided to individuals receiving public assistance and a Child Support Specialist is assigned. However, **if parents do not get a call or letter from the Office of Child Support within three months of case opening**, or they would like to discuss their case with the assigned Child Support Specialist, they should call 1-866-540-0008.

If parents or their children **have received public assistance in the past and the child support case was not opened, or is closed, parents can apply** for child support services by completing a [Child Support Services Application/Referral form](#).

**If a parent has a child support order but wants to apply for child support services for another child. How do they apply?**

**If a parent is on public assistance**, they will automatically be referred to a Support Specialist when they add another child to their public assistance case. The parent will receive a call from the Support Specialist who will assist in adding the child to their child support case. **If the parent does not get a call or letter from the Office of Child Support within three months of adding a child to their public assistance case, please call 1-866-540-0008.**

**Parents may apply** for child support services by completing a [Child Support Services Application/Referral form](#).

**Who do parents call if they need help with the child support application or have questions?**

For assistance, or application process questions, contact the Office of Child Support toll-free at 1-866-540-0008. [Child Support Services Application/Referral form](#)



STATE OF MICHIGAN

DEPARTMENT OF HUMAN SERVICES  
LANSING

RICK SNYDER  
GOVERNOR

MAURA D. CORRIGAN  
DIRECTOR

Assistant Warden/Jail Administrator,

The Michigan Prison Wardens and County Sheriffs have approved the enclosed procedure for processing the *Affidavit of Parentage* ([AOP](#)) forms sent to you by Michigan's birthing hospitals. The hospital should have enclosed the following: the AOP form, "[What Every Parent Should Know About Establishing Paternity - DHS Pub-780](#)," and a self-addressed stamped envelope (SASE).

Please follow these guidelines when in receipt of the above materials:

- Present the alleged father/inmate with the *Affidavit of Parentage* ([AOP](#)) form.
- Present the alleged father/inmate with the pamphlet, "[What Every Parent Should Know About Establishing Paternity - DHS Pub-780](#)."
- Make sure the inmate reads the pamphlet and knows his rights and responsibilities if he signs the [AOP](#).
- Have a notary witness the inmate's signature when he decides to sign the form.
- Send the [AOP](#) back to the hospital in the SASE provided.
- If the inmate refuses to sign the [AOP](#), send the unsigned [AOP](#) back to the hospital in the SASE and indicate that the prisoner refused to sign the form.

Should you have any questions or need additional information, please contact Ellen Wood at (517) 373-0275 or [DHS-OCS-PEP@michigan.gov](mailto:DHS-OCS-PEP@michigan.gov).

Once again, thank you,

Erin Frisch,  
Director, Office of Child Support

Enclosure

Appendix G

## **BIRTH CERTIFICATE/AFFIDAVIT OF PARENTAGE SCRIPT**

**(From PHNS at Bay Regional Medical Center)**

1. Introduce yourself to the mother.

“Hello, my name is \_\_\_\_\_, from the Medical Records Department. Do you have a minute? I want to ask you some questions and verify some information for your baby’s birth certificate.” “I apologize, however, in order to maintain confidentiality you may wish to have your visitors step out of the room. “(Visitors may remain in the room if the mother chooses.)

2. Interview the mother and ask all the pertinent questions to complete your paperwork. If the mother is single, or has been divorced for over 10 months, then continue with the following:

- “Do you want the father’s name to appear on the child’s birth certificate?”
- “In order to add the father’s name to the birth certificate, both parents need to complete an [\*\*Affidavit of Parentage\*\*](#). It is not a DNA test, but is paperwork that you both sign stating that he is the father.” NOTE: Before signing, rights and responsibilities must be explained, [\*\*“What Every Parent Should Know About Establishing Paternity - DHS Pub-780”\*\*](#) provided, and video “The Power of Two” shown, etc.
- “Would you like to complete that today if the father is available?”

NOTE: If the father is not available, then you will go on to the next script.

If the father is unavailable to sign the [\*\*Affidavit of Parentage\*\*](#), advise the mother of the following:

- “What we are going to do today is complete the birth certificate with just the mother’s name and the child’s name on it.”
- “We will schedule an appointment for you and the baby’s father to return to the hospital to complete the [\*\*Affidavit of Parentage\*\*](#).”
- “If you can’t schedule your appointment today, then I can give you this reminder to call within 5 days of your discharge to complete the [\*\*Affidavit of Parentage\*\*](#).”
- “When you come in for the appointment, you will both need to bring picture identification.”

## **AFFIDAVIT OF PARENTAGE/PATERNITY APPOINTMENT VERBIAGE**

**(From PHNS at Bay Regional Medical Center)**

You have 5 days from the day you were discharged from the hospital to call and schedule to sign the Affidavit of Paternity form. Call and ask to speak to the birth certificate clerk at (XXX) XXX-XXXX between 8:00 a.m. and 2:00 p.m. Monday through Friday.

Your appointment date and time is:

---

### HIPAA DISCLOSURE AUTHORIZATION FORM

FULL NAME \_\_\_\_\_

I hereby authorize \_\_\_\_\_ to use disclose my  
(Discloser)

protected health information related to \_\_\_\_\_  
(Type of information)

To \_\_\_\_\_ for the following purpose:  
(Recipient)

- 
- 
- I understand that I may inspect or copy the protected health information described by this authorization.
  - I understand that, at any time, this authorization may be revoked, when the office that received this authorization received a written revocation, although that revocation will not be effective as to the disclosure of records whose release I have previously authorized, or where other action has been taken in reliance on an authorization I have signed. I understand that my health care and the payment for my health care will not be affected if I refuse to sign this form.
  - I understand that information used or disclosed, pursuant to this authorization, could be subject to redisclosure by the recipient and, if so, may not be subject to federal or state law protecting its confidentiality.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Individual or Representative

\_\_\_\_\_  
Authority or Relationship to Individual, if Represented

EXPIRATION DATE: This authorization will expire on \_\_\_\_\_

If no date or event is stated, the expiration date will be six years from the date of this authorization.

COPY PROVIDED: The subject of this authorization shall receive a copy of this authorization, when signed.

# Are You **Unmarried** and Expecting a Child?



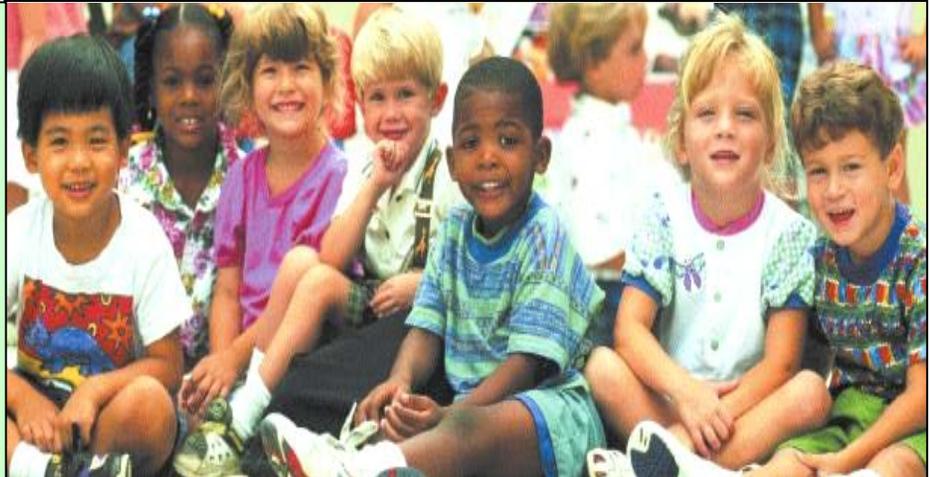
## Establish Paternity for Your Child at the Hospital

- 1. Both parents need to sign the Affidavit of Parentage.**  
(Available from medical records or birthing center staff at the hospital)
- 2. Both parents need to bring picture identification.**  
(Driver's license and/or Michigan State I.D. are examples of picture identification)
- 3. The hospital notary public will notarize the signatures.**
  - Remember: Adding the father to the birth record is **FREE** when an Affidavit of Parentage is completed at the time of birth at the hospital.
  - After the child leaves the hospital, the local Department of Human Services office can assist with the paternity establishment process.

# Establish Paternity For Your Child

## What's Needed:

1. Both parents must sign the Affidavit of Parentage form.
  - Either at the hospital following birth, or
  - At the local Department of Human Services Office.
2. Both parents must provide picture identification.
  - Michigan I.D. or Driver's License are examples of identification.
3. A notary must notarize the signatures.



## Benefits for your child:

1. Identity for your Child – A legal father and mother!
2. Financial Support – Eligibility for benefits through both parents, such as:
  - Inheritance
  - Social Security
  - Medical Insurance
  - Veteran's Benefits
3. Medical history of both parents

Paternity Questions, Call:

1 (866) 540-0008

