



Department of Health

ANDREW M. CUOMO
Governor

**HOWARD A. ZUCKER, M.D.,
J.D.**
Commissioner

LISA J. PINO, M.A., J.D.
Executive Deputy Commissioner

Dear Applicant:

This letter is to assist those who wish to change the gender designation on the birth certificate of a minor, including requests for non-binary gender designations. In this context, a minor is considered to be an individual age 16 or younger and the request must be made by the parent(s) or legal guardian(s) of the minor. All requests that seek to make such an amendment must be made in writing to the New York State Department of Health, Bureau of Vital Records. Each request must include:

- A completed Parent/Legal Guardian Application for Correction of Certificate of Birth for Gender Designation for a Minor (DOH-5306) signed by the parent(s) or legal guardian(s).
- Notarized Affidavit of Gender Error for a Person 16 Years of Age or Under (DOH-5304).

If the parent(s) or legal guardian(s) is simultaneously requesting that the minor's name be changed on their birth certificate, that should be noted on the application. The application must then include a copy of a court order authorizing the name change.

The original birth certificate and all other documents relating to the gender designation or name change will be retained in a sealed file. Only the amended birth certificate will be released upon future requests for a certified birth certificate.

One certified copy of the amended birth certificate will be provided to the applicant. Additional copies are \$30.00 each.

If you have any questions, please contact my office directly at (518) 474-5245.

Sincerely,

Diana A. Yang
New York State Registrar and Director
Bureau of Vital Records

Please mail all forms to:
New York State Department of Health
Bureau of Vital Records Administration
800 North Pearl St Rm 216
Albany, NY 12204