



**Missouri Department of Health and Senior Services**

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RELAY MISSOURI for Hearing and Speech Impaired 1-800-735-2966 VOICE 1-800-735-2466

**Peter Lyskowski**  
Acting Director



**Jeremiah W. (Jay) Nixon**  
Governor

August 9, 2016

Bernie Rhodes, Partner  
Lathrop & Gage  
2345 Grand Blvd., Ste. 2000  
Kansas City, MO 64108-2618

Re: Reclaim the Records' requests for birth and death lists

Dear Mr. Rhodes:

This letter is in response to your client's requests for (1) an electronic list of the names and birth dates of every person born in Missouri from 1910 through 2015; (2) an electronic list of the names and death dates of every person who died in Missouri from 1910 through 2015; and (3) an estimate of the cost of producing the lists. Your client's requests state that the lists, if produced, would be made available to the public.

The department's initial consideration of the requests focused primarily on whether and how the lists could be produced, and how much it would cost to produce them. After determining that the lists could be produced, and at a much lower cost than originally thought, the department's consideration turned to whether producing the lists would be in the best interests of Missouri citizens.

Section 193.245(1), RSMo, states that the department "may" disclose "a listing of persons who are born or who die on a particular date." Your client has not asked for a listing for a particular date. Instead, your client has asked for a listing of the name of every single person who was born in Missouri on every single date for the past 106 years, and a listing of the name of every single person who died in Missouri on every single date for the past 106 years. Such requests are beyond the scope of the authorization in Section 193.245(1), RSMo.

Additionally, there are security concerns about creating and releasing the requested lists. The lists would amount to a massive database of personally-identifiable information with the potential to be used by identity thieves and hackers.

Therefore, the department has opted to exercise the discretion granted in Section 193.245(1), RSMo, to decline these requests.

If you have questions, please call me at (573) 751-6005.

Sincerely,

Nikki Loethen  
General Counsel

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