

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4

A Bill

HOUSE BILL 1185

5 By: Representative D. Meeks
6 By: Senator Rapert
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE LAWS CONCERNING A FETAL DEATH
10 CERTIFICATE AND REGISTRATION OF TERMINATION OF
11 PREGNANCY; TO AMEND THE LAW CONCERNING A CERTIFICATE
12 OF BIRTH RESULTING IN STILLBIRTH; AND FOR OTHER
13 PURPOSES.
14
15

Subtitle

16 TO AMEND THE LAWS CONCERNING A FETAL
17 DEATH CERTIFICATE AND REGISTRATION OF
18 TERMINATION OF PREGNANCY; AND TO AMEND
19 THE LAW CONCERNING A CERTIFICATE OF BIRTH
20 RESULTING IN STILLBIRTH.
21
22
23

24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
25

26 SECTION 1. Arkansas Code § 20-18-410(a)(2), concerning the definition
27 of "stillbirth" regarding a certificate of birth resulting in stillbirth, is
28 amended to read as follows:

29 (2) "Stillbirth" means an unintended, intrauterine fetal death
30 occurring in this state after a gestational age of not less than ~~twenty (20)~~
31 twelve (12) completed weeks.
32

33 SECTION 2. Arkansas Code § 20-18-603 is amended to read as follows:
34 20-18-603. Registration of termination of pregnancy.

35 (a)(1)(A)(i) Each A fetal death, ~~when the fetus weighs three hundred~~
36 ~~fifty grams (350 g) or more or, if weight is unknown,~~ when the fetus



1 completed ~~twenty (20)~~ twelve (12) weeks' gestation or more, calculated from
 2 the date the last normal menstrual period began to the date of delivery, that
 3 occurs in this state shall be reported within five (5) days after delivery to
 4 the Division of Vital Records or as otherwise directed by the State Registrar
 5 of Vital Records.

6 ~~(ii) All induced terminations~~ An induced termination
 7 of pregnancy shall be reported in the manner prescribed in subsection (b) of
 8 this section and shall not be reported as fetal deaths.

9 (B) When a dead fetus is delivered in an institution, the
 10 person in charge of the institution or his or her designated representative
 11 shall prepare and file the fetal death certificate.

12 (C) When a dead fetus is delivered outside an institution,
 13 the physician in attendance at or immediately after delivery shall prepare
 14 and file the fetal death certificate.

15 (D) When a fetal death required to be reported by this
 16 section occurs without medical attendance at or immediately after the
 17 delivery, or when inquiry is required by § 12-12-301 et seq. or § 14-15-301
 18 et seq. or otherwise provided by law, the State Medical Examiner or coroner
 19 shall investigate the cause of fetal death and shall prepare and file the
 20 report within five (5) days.

21 (E) (i) When a fetal death occurs in a moving conveyance
 22 and the fetus is first removed from the conveyance in this state or when a
 23 fetus is found in this state and the place of fetal death is unknown, the
 24 fetal death shall be reported in this state.

25 (ii) The place where the fetus was first removed
 26 from the conveyance or the fetus was found shall be considered the place of
 27 fetal death.

28 (2) Spontaneous fetal deaths when the fetus has completed less
 29 than ~~twenty (20)~~ twelve (12) weeks of gestation ~~and when the fetus weighs~~
 30 ~~less than three hundred fifty grams (350 g)~~ shall be reported as prescribed
 31 in subsection (b) of this section.

32 (b) (1) Each induced termination of pregnancy which occurs in this
 33 state regardless of the length of gestation shall be reported to the division
 34 within five (5) days by the person in charge of the institution in which the
 35 induced termination of pregnancy was performed.

36 (2) If the induced termination of pregnancy was performed

1 outside an institution, the attending physician shall prepare and file the
2 report.

3 (c)(1)(A) The reports required under this ~~subsection~~ section are
4 statistical reports to be used only for medical and health purposes and shall
5 not be incorporated into the permanent official records of the system of
6 vital statistics.

7 (B) A schedule for the disposition of these reports shall
8 be provided for by regulation.

9 (2) Reports required under this section shall not include the
10 name or other personal identification of the individual having an induced or
11 spontaneous termination of pregnancy.

12
13
14 **APPROVED: 02/15/2017**
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36