

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

Act 509 of the Regular Session

As Engrossed: S2/27/07 S3/8/07

A Bill

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007

SENATE BILL 398

4
5 By: Senators Salmon, *Trusty*
6 By: Representatives D. *Creekmore, Adcock, Walters, Schulte, Cash, Wagner, Harrelson*

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9 **For An Act To Be Entitled**

10 AN ACT TO AUTHORIZE THE DIVISION OF VITAL RECORDS
11 OF THE DIVISION OF HEALTH OF THE DEPARTMENT OF
12 HEALTH AND HUMAN SERVICES TO ISSUE CERTIFICATES
13 OF BIRTH RESULTING IN STILLBIRTH; AND FOR OTHER
14 PURPOSES.

15
16 **Subtitle**

17 AN ACT TO AUTHORIZE THE DIVISION OF
18 VITAL RECORDS OF THE DIVISION OF HEALTH
19 OF THE DEPARTMENT OF HEALTH AND HUMAN
20 SERVICES TO ISSUE CERTIFICATES OF BIRTH
21 RESULTING IN STILLBIRTH.

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23
24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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26 SECTION 1. Arkansas Code Title 20, Chapter 18, Subchapter 4 is amended
27 to add an additional section to read as follows:

28 20-18-410. Certificate of birth resulting in stillbirth.

29 (a) As used in this section:

30 (1) "Certificate of birth resulting in stillbirth" means a birth
31 certificate issued to record the birth of a stillborn child; and

32 (1) "Stillbirth" means an unintended, intrauterine fetal death
33 occurring in this state after a gestational age of not less than twenty (20)
34 completed weeks.

35 (b) A person who is required to file a fetal death certificate under §



1 20-18-603 shall advise the parent or parents of a stillborn child:

2 (1) That a parent may but is not required to request the
3 preparation of a certificate of birth resulting in stillbirth;

4 (2) That a parent may obtain a certificate of birth resulting in
5 stillbirth by contacting the Division of Vital Records of the Division of
6 Health of the Department of Health and Human Services to request the
7 certificate and paying the required fee; and

8 (3) Regarding the way in which a parent may contact the division
9 to request the certificate of birth resulting in stillbirth.

10 (c)(1) If a parent requests that a certificate of birth resulting in
11 stillbirth be prepared, the parent may provide a name for a stillborn child
12 to be included on the certificate of birth resulting in stillbirth.

13 (2) If the requesting parent does not wish to provide a name,
14 the Division of Vital Records shall fill in the certificate with the name
15 "baby boy" or "baby girl" and the last name of the requesting parent.

16 (3) The name of the stillborn child provided on or later added
17 by amendment to the certificate of birth resulting in stillbirth shall be the
18 same name as appears on the original or amended fetal death certificate.

19 (d) A certificate of birth resulting in stillbirth shall include the
20 state file number of the corresponding fetal death certificate.

21 (e) The Division of Vital Records shall prescribe the form and content
22 of a certificate of birth resulting in stillbirth and shall specify the
23 information necessary to prepare the certificate.

24 (f) The Division of Vital Records shall not use a certificate of birth
25 resulting in stillbirth to calculate live birth statistics.

26 (g) If a fetal death certificate was issued for a stillbirth, a parent
27 may request that the Division of Vital Records issue a certificate of birth
28 resulting in stillbirth without regard to the date on which the fetal death
29 certificate was issued.

30 (h) The Division of Vital Records shall prescribe the form and content
31 of a certificate of birth resulting in stillbirth.

32 (i) A parent may request the Division of Vital Records to prepare and
33 issue a certificate of birth resulting in stillbirth without regard to
34 whether the fetal death occurred on or before the effective date of this act.

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36 /s/ Salmon

APPROVED: 3/27/2007