

1 State of Arkansas
2 80th General Assembly
3 Regular Session, 1995
4 By: Representative DeLay

A Bill

HOUSE BILL 2158

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE §§ 20-18-102 AND 20-18-603
9 OF THE VITAL STATISTICS ACT TO FURTHER DEFINE THE TERMS
10 VITAL STATISTICS AND INDUCED TERMINATION OF PREGNANCY;
11 AND FOR OTHER PURPOSES."

Subtitle

14 "TO AMEND THE VITAL STATISTICS ACT TO
15 FURTHER DEFINE CERTAIN TERMS."

17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

19 SECTION 1. Arkansas Code § 20-18-102 is amended to read as follows:

20 "20-18-102. Definitions.

21 As used in this chapter, unless the context otherwise requires:

22 (1) Vital statistics means the data derived from certificates and
23 reports of birth, death, fetal death, induced termination of pregnancy,
24 marriage, divorce, or annulment and related reports;

25 (2) System of vital statistics includes the registration,
26 collection, preservation, amendment, and certification of vital records, the
27 collection of other reports required by this chapter, and activities related
28 thereto, including the tabulation, analysis, and publication of vital
29 statistics;

30 (3) Vital records means certificates or reports of birth, death,
31 marriage, divorce, or annulment and the data related thereto;

32 (4) File means to present a vital record provided for in this
33 chapter for registration by the Division of Vital Records;

34 (5) Registration means the acceptance by the Division of Vital
35 Records and the incorporation of vital records provided for in this chapter

1 into its official records;

2 (6) Live birth means the complete expulsion or extraction from its
3 mother of a product of human conception, irrespective of the duration of
4 pregnancy, which, after the expulsion or extraction, breathes or shows any
5 other evidence of life such as beating of the heart, pulsation of the
6 umbilical cord or definite movement of voluntary muscles, whether or not the
7 umbilical cord has been cut or the placenta is attached;

8 (7) Fetal death means death prior to the complete expulsion or
9 extraction from its mother of a product of human conception, irrespective of
10 the duration of pregnancy. The death is indicated by the fact that after the
11 expulsion or extraction, the fetus does not breathe or show any other
12 evidence of life such as beating of the heart, pulsation of the umbilical
13 cord or definite movement of voluntary muscles;

14 (A) Spontaneous fetal death means the expulsion or extraction
15 of a product of human conception resulting in other than a live birth and
16 which is not an induced termination of pregnancy, sometimes referred to as
17 stillbirth and miscarriage;

18 (B) Induced termination of pregnancy means the intentional
19 termination of pregnancy with the intention other than to produce a live-born
20 infant or to remove a dead fetus and also includes the unintentional
21 destruction of a fetus in performance of the surgical procedure dilation and
22 curettage;

23 (8) Dead body means a human body, or parts of a human body, from the
24 condition of which it reasonably may be concluded that death recently
25 occurred;

26 (9) Final disposition means the burial, interment, cremation,
27 removal from Arkansas or other authorized disposition of a dead body or
28 fetus;

29 (10) Physician means a person authorized or licensed to practice
30 medicine, chiropractic, or osteopathy pursuant to the laws of this state;

31 (11) Institution means any establishment, public or private, which
32 provides inpatient medical, surgical, or diagnostic care or treatment or
33 nursing, custodial, or domiciliary care, or to which persons are committed by
34 law."

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1 SECTION 2. Arkansas Code § 20-18-603 is amended to read as follows:

2 "20-18-603. Registration of termination of pregnancy.

3 (a)(1) Each fetal death of twenty (20) completed weeks gestation or
4 more, or weighing more than five hundred (500) grams which occurs in this
5 state shall be reported within five (5) days after delivery to the Division
6 of Vital Records or as otherwise directed by the state registrar.

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

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

13 (2) Spontaneous fetal deaths of less than twenty (20) weeks of
14 gestation or weighing five hundred (500) grams or less shall be reported as
15 prescribed in subsection (b) of this section.

16 (b)(1) Each induced termination of pregnancy, whether intentional or
17 the unintentional destruction of a fetus during a dilation and curettage
18 procedure, which occurs in this state shall be reported to the Division of
19 Health Statistics on a monthly basis by the person in charge of the
20 institution in which the induced termination of pregnancy was performed. If
21 the induced termination of pregnancy was performed outside an institution,
22 the attending physician shall prepare and file the report.

23 (2) The reports required under this subsection are statistical
24 reports to be used only for medical and health purposes and shall not be
25 incorporated into the permanent official records of the system of vital
26 statistics. A schedule for the disposition of these reports shall be
27 provided for by regulation.

28 (3) Reports required under this section shall not include the
29 name or other personal identification of the individual having an induced
30 termination of pregnancy."

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32 SECTION 3. All provisions of this act of general and permanent nature
33 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
34 Revision Commission shall incorporate the same in the Code.

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1 SECTION 4. If any provisions of this act or the application thereof to
2 any person or circumstance is held invalid, the invalidity shall not affect
3 other provisions or applications of the act which can be given effect without
4 the invalid provisions or application, and to this end the provisions of this
5 act are declared to be severable.

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7 SECTION 5. All laws and parts of laws in conflict with this act are
8 hereby repealed.

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