

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.

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

A Bill

SENATE BILL 398

4
5 By: Senator Salmon

For An Act To Be Entitled

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

Subtitle

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

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

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

27 20-18-410. Certificate of birth resulting in stillbirth.

28 (a) As used in this section:

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

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

34 (b) A person who is required to file a fetal death certificate under §
35 20-18-603 shall advise the parent or parents of a stillborn child:

36 (1) That a parent may but is not required to request the



1 preparation of a certificate of birth resulting in stillbirth;

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

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

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

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

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

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

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

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

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

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

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

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