1 State of Arkansas   *As Engrossed: S2/27/07 S3/8/07*

2 86th General Assembly   A Bill

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.

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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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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 §

36 20-18-603 shall advise the parent or parents of a stillborn child:

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

2   preparation of a certificate of birth resulting in stillbirth;

3   (2) That a parent may obtain a certificate of birth resulting in

4   stillbirth by contacting the Division of Vital Records of the Division of

5   Health of the Department of Health and Human Services to request the

6   certificate and paying the required fee; and

7   (3) Regarding the way in which a parent may contact the division

8   to request *the certificate of* birth resulting in stillbirth.

9   (c)(1) If a parent requests that a certificate of birth resulting in

10   stillbirth be prepared, the parent may provide a name for a stillborn child

11   to be included on *the certificate of* birth resulting in stillbirth.

12   (2) If the requesting parent does not wish to provide a name,

13   the Division of Vital Records shall fill in the certificate with the name

14   "baby boy" or "baby girl" and the last name of the requesting parent.

15   (3) The name of the stillborn child provided on or later added

16   by amendment to the certificate of birth resulting in stillbirth shall be the

17   same name as appears on the original or amended fetal death certificate.

18   (d) A certificate of birth resulting in stillbirth shall include the

19   state file number of the corresponding fetal death certificate.

20   (e) The Division of Vital Records shall prescribe the form and content

21   of a certificate of birth resulting in stillbirth and shall specify the

22   information necessary to prepare the certificate.

23   (f) The Division of Vital Records shall not use a certificate of birth

24   resulting in stillbirth to calculate live birth statistics.

25   (g) If a fetal death certificate was issued for a stillbirth, a parent

26   may request that the Division of Vital Records issue a certificate of birth

27   resulting in stillbirth without regard to the date on which the fetal death

28   certificate was issued.

29   (h) The Division of Vital Records shall prescribe the form and content

30   of a certificate of birth resulting in stillbirth.

31   (i) A parent may request the Division of Vital Records to prepare and

32   issue a certificate of birth resulting in stillbirth without regard to

33   whether the fetal death occurred on or before the effective date of this act.

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35   */s/ Salmon*

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