

BY REPRESENTATIVE BURFORD

1 A CONCURRENT RESOLUTION

2 To urge and request the Department of Health and Hospitals to study means by which to

3 allow for the burial of a fetus or fetal remains resulting from a loss of pregnancy at

4 less than twenty weeks' gestation, and to report recommendations to the legislative

5 committees on health and welfare.

6 WHEREAS, many women who have experienced the loss of an unborn child through

7 miscarriage or fetal death *in utero* speak of their deep grief over this loss; and

8 WHEREAS, it is not uncommon for parents facing such a loss to seek comfort in

9 their sorrow by pursuing a proper burial for their unborn child; and

10 WHEREAS, the care of the remains of the unborn is therefore a matter of great

11 significance; and

12 WHEREAS, both the medical and religious communities have identified the inability

13 of a family to bury the remains of their unborn child as an issue that merits serious

14 consideration by policymakers; and

15 WHEREAS, twenty-three states acknowledge the rights of parents to pursue the

16 burial of the remains of their unborn child; and

17 WHEREAS, Louisiana law currently lacks this affirmation of parents' rights, as the

18 applicable statute, R.S. 8:652, specifically exempts fetal remains from the requirement that

19 human remains must be properly buried or cremated, with the tragic result that fetuses and

20 fetal remains are classified legally in this state as "medical waste"; and

1 WHEREAS, if our state is to consistently uphold the dignity of each human being  
2 and to facilitate honoring the sanctity of the human body from which life has passed in time-  
3 honored traditions which bring solace and hope to the living, a prudent and just policy must  
4 be created for giving the individual fetus the same respect as an infant, child, or adult who  
5 dies.

6 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby  
7 urge and request the Department of Health and Hospitals to study means by which to allow  
8 for the burial of a fetus or fetal remains resulting from a loss of pregnancy at less than  
9 twenty weeks' gestation.

10 BE IT FURTHER RESOLVED that in developing the study, the department shall  
11 engage, collaborate with, and obtain information and perspective from stakeholder groups  
12 with appropriate expertise, including but not limited to the following organizations:

13 (1) The Louisiana Conference of Catholic Bishops.

14 (2) The Louisiana Funeral Directors Association.

15 (3) The Louisiana State Coroners Association.

16 (4) The Louisiana Hospital Association.

17 (5) The Louisiana Clerks of Court Association.

18 (6) The Louisiana Interchurch Conference.

19 BE IT FURTHER RESOLVED that the department shall provide the findings of this  
20 study in the form of a report to the House Committee on Health and Welfare and the Senate  
21 Committee on Health and Welfare on or before December 31, 2015.

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#### DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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2015 Regular Session

Burford

Requests the Dept. of Health and Hospitals to study means by which to allow for the burial of a fetus or fetal remains resulting from a loss of pregnancy at less than 20 weeks' gestation, and to report recommendations to the legislative committees on health and welfare on or before Dec. 31, 2015.