

Regular Session, 2003

HOUSE BILL NO. 918

BY REPRESENTATIVE SCHNEIDER

VITAL STATS/BIRTH CERT: Provides for a certificate of stillbirth

1 AN ACT

2 To enact Part VI of Chapter 2 of Title 40 of the Louisiana Revised Statutes of  
3 1950, to be comprised of R.S. 40:91 through 94, relative to birth  
4 certificates; to provide for the issuance of certificates of stillbirth; to  
5 provide for delayed certificates of stillbirth; to provide for certified  
6 copies and fees; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Part VI of Chapter 2 of Title 40 of the Louisiana Revised  
9 Statutes of 1950, comprised of R.S. 40:91 through 94, is hereby enacted to  
10 read as follows:

11 PART VI. CERTIFICATE OF STILLBIRTH

12 §91. Title

13 This Part may be known and referred to as the "Missing Angels  
14 Act".

15 §92. Certificate of stillbirth; requirements

16 A. In addition to the requirements in R.S. 40:47 and 49, the state  
17 registrar shall establish a certificate of stillbirth on a form approved by

1 the state registrar for each spontaneous fetal death which occurs in this  
2 state after twenty complete weeks of gestation or more, calculated from  
3 the date the last normal menstrual period began to the date of delivery,  
4 or a weight of three hundred fifty grams or more. This certificate may  
5 be requested by the parent or parents of a stillborn child.

6 B. The certificate of stillbirth shall meet all of the requirements  
7 of R.S. 40:34 and 45 relating to the contents and preparation of a birth  
8 certificate. However, if the parent or parents of the child do not wish  
9 to provide a name for the stillborn child, the preparer shall leave blank  
10 the space for the full name of the child.

11 C. The certificate of stillbirth shall be filed with the designated  
12 registrar within five days following the delivery and prior to interment,  
13 cremation, removal, or other disposition of the fetus.

14 §93. Delayed certificate of stillbirth

15 When a birth resulting in a stillbirth occurs in this state and a  
16 certificate has not been filed within one year after the date of delivery,  
17 a certificate of stillbirth distinctly marked "delayed" may be filed and  
18 registered in accordance with regulations of the secretary of the  
19 Department of Health and Hospitals relating to evidentiary and other  
20 requirements sufficient to substantiate the alleged facts of birth  
21 resulting in stillbirth.

22 §94. Issuance of certification cards; certified copies; fees; disclosure  
23 of records; evidentiary character

24 The provisions of R.S. 40:39 through 42 relative to birth  
25 certification cards, certified copies of birth certificates, fees for  
26 certified copies, the disclosure of records, and the evidentiary character

- 1           of certificates shall apply to certificates of stillbirth in the same manner  
2           they apply to certificates of live birth.
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### DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument.

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Schneider

HB No. 918

**Abstract:** Enacts the "Missing Angels Act".

Present law provides for the preparation and filing of spontaneous fetal death certificates for stillborn babies.

Proposed law maintains present law and additionally allows the parent or parents of a stillborn baby to request the issuance of a certificate of stillbirth.

Proposed law requires the certificate of stillbirth to meet all the requirements of form, preparation, disclosure, evidence, issuance, copies, and fees for birth certificates.

Proposed law authorizes the filing of delayed certificates of stillbirth in accordance with DHH regulations.

(Adds R.S. 40:91-94)