

Regular Session, 2014

HOUSE BILL NO. 403

BY REPRESENTATIVE BURFORD

HUMAN REMAINS: Provides for certificates of stillbirth and hospital policies concerning disposition of fetal remains

1 AN ACT

2 To amend and reenact R.S. 40:32(16) and 92(A), and to enact R.S. 40:2017.13, relative to
3 instances of spontaneous fetal death, known also as stillbirth; to provide for
4 definitions; to authorize issuance of certificates of stillbirth to parents; to provide for
5 hospital policies concerning disposition of fetal remains; and to provide for related
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 40:32(16) and 92(A) are hereby amended and reenacted and R.S.
9 40:2017.13 is hereby enacted to read as follows:

10 §32. Definition of terms

11 As used in this Chapter, the following terms shall have the meanings ascribed
12 to them in this Section unless otherwise provided for or unless the context otherwise
13 indicates:

14 * * *

15 (16) "Spontaneous fetal death" (~~stillbirth~~) means and "stillbirth" mean the
16 expulsion or extraction of a product of human conception resulting in other than a
17 live birth and when the expulsion or extraction is not the result of an induced
18 termination of pregnancy.

19 * * *

20 §92. Certificate of stillbirth; requirements

21 A.(1) In addition to the requirements in R.S. 40:47 and 49, the state registrar
22 shall establish a certificate of stillbirth on a form approved by the state registrar for

1 each spontaneous fetal death which occurs in this state after twenty complete weeks
2 of gestation or more, calculated from the date the last normal menstrual period began
3 to the date of delivery, or a weight of three hundred fifty grams or more; and for each
4 instance of spontaneous fetal death when a parent of a stillborn child requests a
5 certificate of stillbirth.

6 (2) This certificate shall be provided by the Vital Records Registry upon the
7 request of the parent or parents of a stillborn child.

8 * * *

9 §2017.13. Hospital policies concerning disposition of fetal remains

10 Every licensed hospital, maternity home, and other licensed health facility
11 that provides medical care shall adopt written policies and inform parents regarding
12 their options for disposition or taking of fetal remains in an event of a spontaneous
13 fetal death.

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)]

Burford

HB No. 403

Abstract: Authorizes issuance of certificates of stillbirth in certain instances and provides for hospital policies concerning disposition of fetal remains.

Present law defines "spontaneous fetal death" and "stillbirth" as the expulsion or extraction of a product of human conception resulting in other than a live birth and when the expulsion or extraction is not the result of an induced termination of pregnancy, without reference to gestational age or weight of the fetus.

Present law requires the state registrar of vital records to establish a certificate of stillbirth on an approved form for each spontaneous fetal death which occurs in this state after 20 complete weeks of gestation or more or a weight of 350 grams or more. Proposed law authorizes issuance of this form for other instances of spontaneous fetal death when requested by a parent of a stillborn child.

Proposed law requires that every licensed hospital, maternity home, and other licensed health facility providing medical care adopt written policies and inform parents regarding their options for disposition or taking of fetal remains in an event of a spontaneous fetal death.

(Amends R.S. 40:32(16) and 92(A); Adds R.S. 40:2017.13)