

By: Zaffirini

S.B. No. 271

A BILL TO BE ENTITLED

AN ACT

relating to the issuance of a certificate of birth resulting in stillbirth on request of a parent.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter A, Chapter 192, Health and Safety Code, is amended by adding Section 192.0022 to read as follows:

Sec. 192.0022. CERTIFICATE OF BIRTH RESULTING IN STILLBIRTH. (a) In this section:

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

(2) "Certificate of birth resulting in stillbirth" means a birth certificate issued to record the birth of a stillborn child.

(b) The person who is required to file a fetal death certificate under Section 193.002 shall advise the parent or parents of a stillborn child:

(1) that a parent may, but is not required to, request the preparation of a certificate of birth resulting in stillbirth;

(2) that a parent may obtain a certificate of birth resulting in stillbirth by contacting the Department of State Health Services Vital Statistics Unit to request the certificate and paying the required fee; and

(3) regarding the way or ways in which a parent may

1 contact the Department of State Health Services Vital Statistics
2 Unit to request the certificate.

3 (c) A parent may provide a name for a stillborn child on the
4 request for a certificate of birth resulting in stillbirth. The
5 person who prepares the certificate shall leave blank any
6 references to the stillborn child's name if the requesting parent
7 does not wish to provide a name.

8 (d) The department shall prescribe the form and content of a
9 certificate of birth resulting in stillbirth and shall specify the
10 information necessary to prepare the certificate.

11 (e) A parent may request the Department of State Health
12 Services Vital Statistics Unit to issue a certificate of birth
13 resulting in stillbirth without regard to the date on which the
14 fetal death certificate was issued.

15 (f) The executive commissioner of the Health and Human
16 Services Commission may adopt rules necessary to administer this
17 section.

18 SECTION 2. Not later than the 60th day following the
19 effective date of this Act, the Department of State Health Services
20 Vital Statistics Unit shall prescribe the form and content of a
21 certificate of birth resulting in stillbirth and specify the
22 information necessary to prepare the certificate as required by
23 Section 192.0022, Health and Safety Code, as added by this Act.

24 SECTION 3. A parent may request the Department of State
25 Health Services Vital Statistics Unit to prepare and issue a
26 certificate of birth resulting in stillbirth without regard to
27 whether the fetal death occurred on, before, or after the effective

1 date of this Act.

2 SECTION 4. This Act takes effect September 1, 2005.