

BILL ANALYSIS

H.B. 635
By: Price
Public Health
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, some parents who experience an unintended miscarriage are not guaranteed access to the remains of the unborn child for the purpose of burial. Some hospitals consider the remains of a fetus as human waste before a certain gestational period and dispose of the fetal remains in accordance with the hospital's disposal procedures for other human waste, including bandages, needles, and organs. The goal of H.B. 635 is to ensure that any parent who has to endure the trauma of losing a child before birth is able to recover the fetal remains from a hospital.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 635 amends the Health and Safety Code to require a hospital to release the remains of an unintended, intrauterine fetal death on the request of a parent of the unborn child, in a manner appropriate under law and the hospital's practice for the disposition of a human body.

EFFECTIVE DATE

September 1, 2015.