

By: Leach

H.B. No. 869

A BILL TO BE ENTITLED

AN ACT

relating to a certificate of birth resulting in stillbirth.

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

SECTION 1. Section 192.0022(a)(1), Health and Safety Code, is amended to read as follows:

(1) "Stillbirth" means an unintended, intrauterine fetal death occurring in this state [~~after a gestational age of not less than 20 completed weeks~~].

SECTION 2. Section 192.0022, Health and Safety Code, is amended by amending Subsections (b), (c), (g), and (h) and adding Subsections (d-1) and (h-1) to read as follows:

(b) The person who is required to file a fetal death certificate under Section 193.002, if that person is required to file a fetal death certificate or is otherwise involved in the disposition of the stillborn child's remains, 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 bureau of vital statistics to request the certificate and paying the required fee; and

(3) regarding the way or ways in which a parent may contact the bureau of vital statistics to request the certificate.

1 (c) A parent may provide a name for a stillborn child on the
2 request for a certificate of birth resulting in stillbirth. If the
3 requesting parent does not wish to provide a name, the bureau of
4 vital statistics shall fill in the certificate with the name "baby
5 boy" or "baby girl" and the last name of the parent. [~~The name of
6 the stillborn child provided on or later added by amendment to the
7 certificate of birth resulting in stillbirth shall be the same name
8 as placed on the original or amended fetal death certificate.~~]

9 (d-1) The department shall issue a certificate of birth
10 resulting in stillbirth at the request of a parent of the stillborn
11 child.

12 (g) On issuance of a certificate of birth resulting in
13 stillbirth to a parent who has requested the certificate as
14 provided by this section, the bureau of vital statistics shall file
15 an exact copy of the certificate with the local registrar of the
16 registration district in which the stillbirth occurred. [~~The
17 local registrar shall file the certificate of birth resulting in
18 stillbirth with the fetal death certificate.~~]

19 (h) A parent may request the bureau of vital statistics to
20 issue a certificate of birth resulting in stillbirth without regard
21 to the date on which the birth resulting in stillbirth occurred
22 [~~fetal death certificate was issued~~].

23 (h-1) A certificate of birth resulting in stillbirth is not
24 a certificate of fetal death for purposes of Section 193.002, and
25 the issuance of a certificate of birth resulting in stillbirth
26 under this section does not affect the issuance of a certificate of
27 fetal death under Section 193.002.

1 SECTION 3. Section [192.0022\(d\)](#), Health and Safety Code, is
2 repealed.

3 SECTION 4. This Act takes effect September 1, 2015.