86R1300 JG-D

By:  Leach H.B. No. 1340

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, on filing of any required fetal death certificate or if 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 vital statistics unit to request the certificate and paying the required fee; and

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

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

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

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

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

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

SECTION 3.  Section 192.0022(d), Health and Safety Code, is repealed.

SECTION 4.  This Act takes effect September 1, 2019.