

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

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

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

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

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

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

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

1 repealed.

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