

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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SENATE BILL 46

Short Title: Birth Certificate/Stillborn Infants. (Public)

Sponsors: Senators Pittenger; Apodaca, Berger of Rockingham, Brock, Brown, East, Forrester, Goodall, Hartsell, Hunt, Jacumin, Preston, Stevens, and Tillman.

Referred to: Health Care.

February 12, 2007

A BILL TO BE ENTITLED
AN ACT TO AUTHORIZE THE ESTABLISHMENT OF A CERTIFICATE OF
BIRTH RESULTING IN STILLBIRTH.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 130A-114 reads as rewritten:

"§ 130A-114. Fetal death ~~registration~~registration; certificate of birth resulting in stillbirth.

(a) Each spontaneous fetal death occurring in the State of 20 completed weeks gestation or more, as calculated from the first day of the last normal menstrual period until the day of delivery, shall be reported within 10 days after delivery to the local registrar of the county in which the delivery occurred. The report shall be made on a form prescribed and furnished by the State Registrar.

(b) When fetal death occurs in a hospital or other medical facility, the person in charge of the facility shall obtain the cause of fetal death and other required medical information over the signature of the attending physician, and shall prepare and file the report with the local registrar.

(c) When a fetal death occurs outside of a hospital or other medical facility, the physician in attendance at or immediately after the delivery shall prepare and file the report. When a fetal death is attended by a person authorized to attend childbirth, the supervising physician shall prepare and file the report. Fetal deaths attended by lay midwives and all other persons shall be treated as deaths without medical attendance as provided for in G.S. 130A-115 and the medical examiner shall prepare and file the report.

(d) In the event of a spontaneous fetal death occurring in the State, either parent of the stillborn child may file an application with the State Registrar and other custodian of vital records requesting a certificate of birth resulting in stillbirth. The application may be made for stillbirths occurring on and after July 1, 2002. For stillbirths occurring

1 before July 1, 2002, the application must be accompanied by a certified copy of the fetal
2 death report. The certificate of birth resulting in stillbirth shall be based upon the
3 information available from the spontaneous fetal death report filed pursuant to this
4 section. The person who prepares a certificate of birth resulting in stillbirth shall leave
5 blank any references to the stillborn child's name if the stillborn child's parent or parents
6 do not wish to provide a name for the stillborn child. The certificate of birth resulting in
7 stillbirth shall clearly indicate that it is not proof of a live birth. Issuance of a certificate
8 of birth resulting in stillbirth does not replace the requirement to file a report of fetal
9 death under this section."

10 **SECTION 2.** The Department of Health and Human Services shall use funds
11 available to the Department to implement the provisions of this act.

12 **SECTION 3.** This act is effective when it becomes law.