

**ONE HUNDREDTH LEGISLATURE - SECOND SESSION -
2008**

COMMITTEE STATEMENT

LB1048

Hearing Date: February 07, 2008

Committee On: Health and Human Services

Introducer(s): (Nantkes)

Title: Provide for issuance of birth certificates for stillbirths

Roll Call Vote - Final Committee Action:

Placed on General File with Amendments

Vote Results:

7 Yes	Senators Erdman, Gay, Hansen, Howard, Johnson, Pankonin, Stuthman
0 No	
0 Absent	
0 Present, not voting	

Proponents:

Senator Nantkes
Shannon Saltzman
Sharon Schaefer
Patricia Hill
Brandy Richardson

Representing:

Introducer
Self
Self
Self
Self

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or change:

LB 1048 adds new provisions to the Vital Statistics Act (act) relating to stillbirths. Stillbirth is defined as “an unintended, intrauterine fetal death occurring in this state after the twentieth week of gestation.”

The bill requires the person responsible for filing fetal death certificates under the act to 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 department to request the certificate and paying the required fee; and (3) how a parent may contact the department to request the certificate.

A parent may provide a name for a stillborn child on the request for a certificate of birth resulting in stillbirth. If the parent does not wish to provide a name, the department will fill in the name "baby boy" or "baby girl" and the last name of the parent. The name of the stillborn child on the original or amended certificate of birth resulting in stillbirth must be the same name as placed on the original or amended fetal death certificate.

A certificate of birth resulting in stillbirth must include the state file number of the corresponding fetal death certificate. The department must prescribe the form and content of a certificate of birth resulting in stillbirth and the information necessary to prepare the certificate. The department may not use a certificate of birth resulting in stillbirth to calculate live birth statistics.

A parent may request a certificate of birth resulting in stillbirth without regard to the date on which the fetal death certificate was issued. A parent may request a certificate of birth resulting in stillbirth without regard to whether the fetal death occurred on, before, or after the effective date of the bill.

Explanation of amendments, if any:

The committee amendment (AM 1979) replaces the bill as introduced, but retains its substantive content. The bill amends section 71-606 to permit the parent of a stillborn child, for whom a fetal death certificate is required, to also request a certificate of birth resulting in stillbirth for such child, regardless of when the corresponding fetal death certificate was filed.

The person responsible for filing the fetal death certificate must notify the parent or parents that they may request a certificate of birth resulting in stillbirth, and provide the necessary information for making such request.

The parent requesting a certificate of birth resulting in stillbirth may provide a name for the still born child. If a name is not provided, the Department of Health and Human Services must enter the name baby boy or baby girl and the last name of the requesting parent. The names on the original or amended certificate of birth resulting stillbirth must be the same as that on the original or amended fetal death certificate, and must include the state file number of the corresponding fetal death certificate.

Senator Joel Johnson, Chairperson