

LEGISLATURE OF NEBRASKA
ONE HUNDREDTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1048

Introduced by Nantkes, 46; Engel, 17; Fulton, 29.

Read first time January 18, 2008

Committee: Health and Human Services

A BILL

1 FOR AN ACT relating to birth certificates; to amend section 71-601,
2 Revised Statutes Cumulative Supplement, 2006; to provide
3 for birth certificates for stillbirths; to harmonize
4 provisions; and to repeal the original section.
5 Be it enacted by the people of the State of Nebraska,

1 Section 1. (1) For purposes of this section:

2 (a) Certificate of birth resulting in stillbirth means a
3 birth certificate issued to record the birth of a stillborn child;
4 and

5 (b) Stillbirth means an unintended, intrauterine fetal
6 death occurring in this state after the twentieth week of
7 gestation.

8 (2) The person who is required to file a fetal death
9 certificate under section 71-606 shall advise the parent or parents
10 of a stillborn child:

11 (a) That a parent may, but is not required to, request
12 the preparation of a certificate of birth resulting in stillbirth;

13 (b) That a parent may obtain a certificate of birth
14 resulting in stillbirth by contacting the department to request the
15 certificate and paying the required fee; and

16 (c) Regarding the way or ways in which a parent may
17 contact the department to request the certificate.

18 (3) A parent may provide a name for a stillborn child
19 on the request for a certificate of birth resulting in stillbirth.
20 If the requesting parent does not wish to provide a name, the
21 department shall fill in the certificate with the name "baby boy"
22 or "baby girl" and the last name of the parent. The name of the
23 stillborn child provided on or later added by amendment to the
24 certificate of birth resulting in stillbirth shall be the same name
25 as placed on the original or amended fetal death certificate.

1 (4) A certificate of birth resulting in stillbirth shall
2 include the state file number of the corresponding fetal death
3 certificate.

4 (5) The department shall prescribe the form and content
5 of a certificate of birth resulting in stillbirth and shall specify
6 the information necessary to prepare the certificate.

7 (6) The department shall not use a certificate of birth
8 resulting in stillbirth to calculate live birth statistics.

9 (7) A parent may request a certificate of birth resulting
10 in stillbirth without regard to the date on which the fetal death
11 certificate was issued. A parent may request a certificate of birth
12 resulting in stillbirth without regard to whether the fetal death
13 occurred on, before, or after the effective date of this act.

14 Sec. 2. Section 71-601, Revised Statutes Cumulative
15 Supplement, 2006, is amended to read:

16 71-601 Sections 71-601 to 71-649 and section 1 of this
17 act shall be known and may be cited as the Vital Statistics Act.

18 Sec. 3. Original section 71-601, Revised Statutes
19 Cumulative Supplement, 2006, is repealed.