

ONE HUNDRED SEVENTH LEGISLATURE - SECOND SESSION - 2022
COMMITTEE STATEMENT
LB741

Hearing Date: Wednesday January 19, 2022
Committee On: Health and Human Services
Introducer: DeBoer
One Liner: Provide for review of stillbirths under the Child and Maternal Death Review Act

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:
Aye: 7 Senators Arch, Cavanaugh, M., Day, Hansen, B., Murman, Walz, Williams
Nay:
Absent:
Present Not Voting:

Oral Testimony:

Proponents:

Senator Wendy DeBoer
Ann Anderson Berry
Chad Abresch
Leah Casanave
Christian Minter
Sara Howard

Representing:

District 10
Children's Hospital, Nebraska Medical Association
Self
Douglas County Health Department
March of Dimes
First Five Nebraska

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

LB 741 would authorize the State Child and Maternal Death Review Team to review stillbirths and would add medical and government records of stillbirths to the records which can be obtained by the team for purposes of such review.

'Stillbirth' is defined as a spontaneous fetal death which occurs at or after the twentieth week of gestation and before birth. (Section 2, page 4, lines 4-5.)

Under LB 741, the State Child and Maternal Death Review Team may review all stillbirths occurring on or after January 1, 2023. The members may review the death certificates and other documentation which will allow the team to identify preventable causes of stillbirths. (Section 4, page 7, lines 13-17.)

Under LB 741, the Department of Health and Human Services would have the authority to issue subpoenas to compel the production of medical and government records for purposes of the stillbirth reviews, except for such stillbirths which are under active investigation by a law enforcement agency or which are, at the time, the subject of a criminal prosecution.

Explanation of amendments:

AM 1683 would incorporate the provision of LB 626, as amended, into LB741.

The provision of LB626, would separate the State Child and Maternal Death Review Teams into (1) the State Child Death Review Team and (2) the State Maternal Death Review Team. The amendment provides for the membership of each team and requires DHHS to provide a team data abstractor for the teams. Each team would submit an annual report to the Legislature.

AM 1683 provided that persons seeking appointment to either the State Child Death Review Team or the State Maternal Death Review Team shall apply for appointment by the CEO of the Department of Health and Human Services using an application process developed by the CEO.

In addition to incorporating the provision of LB 626, AM 1683 would amend the definition of stillbirth to mean a spontaneous fetal death which (a) occurs at or after the twentieth week of gestation and before birth and (b) resulted in a fetal death certificate pursuant to Neb. Rev. Stat. 71-606.

Finally, AM 1683 provides that it shall not be interpreted to require review of any stillbirth death.

John Arch, Chairperson