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LB 95

It provides that the parent of the child has a right to direct the disposition of the remains of the child, but disposition may be made by the hospital if the parent makes or gives no direction within 14 days after the delivery of the child. The hospital policy and the disposition of the remains of a child born dead at a hospital must comply with all applicable state and federal law. That includes both disposition by a hospital or any direction for the disposition given by the parent upon delivery of the child born dead. The hospital must notify the parent of their right to direct disposition of the remains of the child and must provide the parent with a copy of its policy with respect to such disposition. The committee defines child born dead as a child at any stage of gestation who has died in utero and by whose identifiable remains have been removed from the uterus of the mother. The committee amendment provides this section does not apply, again I'll repeat, does not apply to the performance of an elective abortion. Senator Maxwell has had subsequent discussions about the bill and the committee amendment, and will be offering an amendment to further redefine the committee amendment. I just indicate our support and the support of the committee to Senator Maxwell's amendment and the committee amendment. With that, I'd just ask for the adoption of the committee amendment. Thank you, Mr. Speaker.

SPEAKER BROMM: Thank you, Senator Jensen. Mr. Clerk.

CLERK: Mr. President, Senator Maxwell, would move to amend the committee amendments with AM1769. (Legislative Journal page 1890.)

SPEAKER BROMM: Senator Maxwell, to open on AM1769.

SENATOR MAXWELL: Thank you, Mr. President. I mentioned before there were some unexpected complexities. There had been a couple stages when I thought we were finally done with this bill and, whoop, whoop, whoop, there were a few more things to look at. My amendment is a specific response to legitimate concerns of healthcare providers. There were two general ones. One is that, is this going to apply every single time a woman goes through any kind of a procedure that is at all related to gynecology and, as a close follow-up to that, are we going to