

By: Representatives Holland, Howell,
Peranich, Miles, Franks, Montgomery, Perkins

To: Public Health and Human
Services

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 566

1 AN ACT TO CODIFY NEW SECTION 41-57-31, MISSISSIPPI CODE OF
2 1972, TO PROVIDE FOR THE ISSUANCE OF A "CERTIFICATE OF BIRTH
3 RESULTING IN STILLBIRTH" BY THE BUREAU OF VITAL STATISTICS OF THE
4 STATE DEPARTMENT OF HEALTH UPON THE REQUEST OF A PARENT OF A
5 STILLBORN CHILD; TO PROVIDE THAT A PARENT MAY REQUEST THE ISSUANCE
6 OF THIS CERTIFICATE WITHOUT REGARD TO WHETHER THE DEATH OCCURRED
7 BEFORE OR AFTER THE EFFECTIVE DATE OF THIS ACT; TO PROVIDE THAT
8 THE PERSON WHO IS REQUIRED TO FILE A DEATH CERTIFICATE SHALL
9 ADVISE THE PARENT OR PARENTS OF A STILLBORN CHILD ABOUT THE
10 AVAILABILITY OF THIS CERTIFICATE AND HOW TO REQUEST THE ISSUANCE
11 OF THE CERTIFICATE; TO PROVIDE THAT THE STATE DEPARTMENT OF HEALTH
12 SHALL PRESCRIBE THE FORM AND CONTENT OF THE CERTIFICATE AND
13 SPECIFY THE INFORMATION NECESSARY TO PREPARE THE CERTIFICATE; TO
14 AUTHORIZE THE STATE BOARD OF HEALTH TO ADOPT ANY RULES OR
15 REGULATIONS NECESSARY TO ADMINISTER THIS SECTION; AND FOR RELATED
16 PURPOSES.

17 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

18 **SECTION 1.** The following shall be codified as Section
19 41-57-31, Mississippi Code of 1972:

20 41-57-31. (1) As used in this section, the following terms
21 shall be defined as provided in this section, unless the context
22 otherwise requires:

23 (a) "Certificate of birth resulting in stillbirth"
24 means a birth certificate issued to record and memorialize the
25 birth of a stillborn child.

26 (b) "Stillbirth" or "stillborn" means an unintended,
27 intrauterine fetal death occurring in this state after a
28 gestational age of not less than twenty (20) completed weeks.

29 (2) For any stillborn child in this state, the Bureau of
30 Vital Statistics shall issue a certificate of birth resulting in
31 stillbirth upon the request of a parent named on the death
32 certificate, within sixty (60) days of the date of the request. A
33 parent may request the Bureau of Vital Statistics to issue a
34 certificate of birth resulting in stillbirth without regard to

35 whether the death occurred on, before, or after July 1, 2007, and
36 without regard to the date on which the death certificate was
37 issued.

38 (3) The person who is required to file a death certificate
39 under this chapter shall advise the parent or parents of a
40 stillborn child:

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

43 (b) That a parent may obtain a certificate of birth
44 resulting in stillbirth by contacting the Bureau of Vital
45 Statistics to request the certificate and paying the required fee;
46 and

47 (c) How a parent may contact the Bureau of Vital
48 Statistics to request a certificate of birth resulting in
49 stillbirth.

50 (4) A parent may provide a name for a stillborn child on the
51 request for a certificate of birth resulting in stillbirth. The
52 name of the stillborn child provided on or later added by
53 amendment to the certificate shall be the same name as placed on
54 the original or amended death certificate. If the requesting
55 parent does not wish to provide a name, the Bureau of Vital
56 Statistics shall fill in the certificate with the name "baby boy"
57 or "baby girl" and the last name of the parent.

58 (5) Not later than September 1, 2007, the State Department
59 of Health shall prescribe the form and content of a certificate of
60 birth resulting in stillbirth and shall specify the information
61 necessary to prepare the certificate. In addition to any other
62 information required to be on the certificate, the certificate
63 shall include:

64 (a) The date of the stillbirth;

65 (b) The county in which the stillbirth occurred;

66 (c) The state file number of the corresponding death
67 certificate; and

68 (d) The following statement: "This certificate is not
69 proof of live birth."

70 (6) Upon issuance of a certificate of birth resulting in
71 stillbirth to a parent, the Bureau of Vital Statistics shall file
72 an exact copy of the certificate with the local registrar of the
73 registration district in which the stillbirth occurred. The local
74 registrar shall file the certificate of birth resulting in
75 stillbirth with the death certificate.

76 (7) The Bureau of Vital Statistics may not use a certificate
77 of birth resulting in stillbirth to calculate live birth
78 statistics.

79 (8) The State Board of Health may adopt any rules or
80 regulations necessary to administer this section.

81 **SECTION 2.** This act shall take effect and be in force from
82 and after July 1, 2007.