

CS for EHB 1847

THE STATE SENATE  
Tuesday, April 6, 2004

Committee Substitute for  
ENGROSSED

House Bill No. 1847

COMMITTEE SUBSTITUTE FOR ENGROSSED HOUSE BILL NO. 1847 - By:  
WINCHESTER, ADKINS, BRADDOCK, COX, GREENWOOD, HAMILTON, LINDLEY,  
McINTYRE, MORGAN (Fred), PAULK, PIATT, SMITHSON, STAGGS, STANLEY,  
VAUGHN, WRIGHT, DANK and LIOTTA of the House and MONSON and LAWLER  
of the Senate.

[ public health and safety - fetal death certificates -  
effective date -  
emergency ]

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 63 O.S. 2001, Section 1-318, is  
amended to read as follows:

Section 1-318. ~~(a)~~ A. A ~~fetal death~~ certificate of birth  
resulting in stillbirth for each fetal death which occurs in this  
state after a gestational period of at least twenty-four (24)  
completed weeks shall be filed with the local registrar of the  
district in which the delivery occurred, within three (3) days after  
such delivery and prior to removal of the fetus, and shall be  
registered with such registrar if it has been completed and filed in  
accordance with this section; ~~provided that,~~

~~(1) if~~ 1. If the place of fetal death is unknown, a ~~fetal death~~  
certificate of birth resulting in stillbirth shall be filed in the

1 registration district in which a dead fetus was ~~found~~ discovered,  
2 within three (3) days after the occurrence; ~~and.~~

3 ~~(2) if 2.~~ If a fetal death occurs on a moving conveyance, a  
4 ~~fetal death~~ certificate of birth resulting in stillbirth shall be  
5 filed in the registration district in which the fetus was first  
6 removed from such conveyance.

7 ~~(b) B.~~ The ~~funeral director or person acting as such who first~~  
8 ~~assumes custody of a fetus shall file the fetal death certificate.~~  
9 ~~In the absence of such a person,~~ the physician or other person in  
10 attendance at or after the delivery shall file the certificate of  
11 ~~fetal death~~ birth resulting in stillbirth. ~~He~~ The person filing the  
12 certificate of birth resulting in stillbirth shall obtain the  
13 personal data from the next of kin or the best qualified person or  
14 source available. ~~He~~ Such person shall complete the certificate as  
15 to personal data and deliver the certificate to that person  
16 responsible for completing the medical certification of cause of  
17 death within twenty-four (24) hours after delivery.

18 ~~(c) C.~~ The certificate of birth resulting in stillbirth shall  
19 be made available upon request by the State Department of Health to  
20 any parent of a stillborn child; provided, however, the parent of a  
21 stillborn child born prior to the effective date of this act may  
22 also request such certificates.

1        D. The person who prepares a certificate pursuant to this  
2 section shall leave blank any reference to the name of the stillborn  
3 child if the parents of the stillborn child do not wish to provide a  
4 name for the stillborn child.

5        E. The medical certification shall be completed and signed  
6 within forty-eight (48) hours after delivery by the physician in  
7 attendance at or after delivery, except when inquiry into the cause  
8 of death is required by Section 938 of this title.

9        SECTION 2. This act shall become effective July 1, 2004.

10       SECTION 3. It being immediately necessary for the preservation  
11 of the public peace, health and safety, an emergency is hereby  
12 declared to exist, by reason whereof this act shall take effect and  
13 be in full force from and after its passage and approval.

14 COMMITTEE REPORT BY: COMMITTEE ON HUMAN RESOURCES, dated 4-1-04 - DO  
15 PASS, As Amended and Coauthored.