

STATE OF OKLAHOMA

1st Session of the 50th Legislature (2005)

SENATE BILL 889

By: Lawler

An Act relating to public health and safety; amending 63 O.S. 2001, Section 1-318, which relates to fetal death certificates; modifying title of certificate; clarifying requirements and content of the certificate; making references gender neutral; providing for filing and registration of certain certificate; providing for a fee for certain certificate; providing an effective date; and declaring an 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 registration district in which a dead fetus was found, within three (3) days after the occurrence; ~~and,~~

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

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

~~(c)~~ C. The certificate of birth resulting in stillbirth shall be made available, upon request, by the State Department of Health to any parent of a stillborn child.

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

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

F. When a birth resulting in stillbirth occurring in this state has not been registered within one (1) year after the date of delivery, a certificate marked "delayed" may be filed and registered in accordance with State Board of Health rules relating to evidentiary and other requirements sufficient to substantiate the alleged facts of birth resulting in stillbirth.

G. The State Department of Health may charge the same fee for a certificate provided under the provisions of this section as the fee charged for a certificate of birth registration.

SECTION 2. This act shall become effective July 1, 2005.

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

50-1-136

CJ

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