

1 ENGROSSED HOUSE  
2 BILL NO. 2995

By: Johnson (Dennis),  
Blackwell, Duncan, Faught,  
Joyner, McMullen and  
Reynolds of the House

4 and

5 Sykes of the Senate

6  
7  
8 An Act relating to public health and safety; amending  
9 63 O.S. 2001, Section 1-301, which relates to vital  
10 statistics; defining terms; creating the MISSING  
11 Angels Act - Christopher and Kendall's Law; providing  
12 for establishment of certificate of birth resulting  
13 in stillbirth; specifying conditions for issuance;  
14 specifying notification; providing for name of  
15 stillborn child; specifying time for issuance of  
16 certificate; providing for delay; specifying  
17 reporting requirements; prohibiting certain use;  
18 providing for codification; and providing an  
19 effective date.

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

21 SECTION 1. AMENDATORY 63 O.S. 2001, Section 1-301, is  
22 amended to read as follows:

23 Section 1-301. As used in this article:

24 1. "Vital statistics" means records of birth, death, fetal  
death and data related thereto;

2. "System of vital statistics" means the registration,  
collection, preservation, amendment and certification of vital  
statistics records, and activities related thereto, including the

1 tabulation, analysis and publication of statistical data derived  
2 from such records;

3 3. "Filing" means the presentation of a certificate, report or  
4 other record provided for in this article, of a birth, death, fetal  
5 death or adoption, for registration by the State Commissioner of  
6 Health;

7 4. "Registration" means the acceptance by the State  
8 Commissioner of Health and the incorporation in his official records  
9 of certificates, reports or other records provided for in this  
10 article, of births, deaths, fetal deaths or adoptions;

11 5. "Live birth" means the complete expulsion or extraction from  
12 ~~its~~ the mother of a product of human conception, irrespective of the  
13 duration of pregnancy, which, after such expulsion or extraction,  
14 breathes or shows any other evidence of life such as beating of the  
15 heart, pulsation of the umbilical cord or definite movement of  
16 voluntary muscles, whether or not the umbilical cord has been cut or  
17 the placenta is attached;

18 6. "Stillbirth" or "stillborn child" means an unintended  
19 intrauterine fetal death after a gestational age of twenty (20)  
20 completed weeks or more;

21 7. "Certificate of birth resulting in stillbirth" means a  
22 certificate issued to record and memorialize the birth of a  
23 stillborn child;

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1        8. "Fetal death" means death prior to the complete expulsion or  
2 extraction from its mother of a product of human conception after a  
3 period of gestation as prescribed by the State Board of Health. The  
4 death is indicated by the fact that, after such expulsion or  
5 extraction, the fetus does not breathe or show any other evidence of  
6 life such as beating of the heart, pulsation of the umbilical cord  
7 or definite movement of voluntary muscles;

8        ~~7.~~ 9. "Dead body" means an individual who is determined to be  
9 dead pursuant to the provisions of the Uniform Determination of  
10 Death Act;

11        ~~8.~~ 10. "Final disposition" means the burial, interment,  
12 cremation, or other disposition of a dead body or fetus;

13        ~~9.~~ 11. "Physician" means a person who is a member of the class  
14 of persons authorized to use the term "physician" pursuant to  
15 Section 725.2 of Title 59 of the Oklahoma Statutes; and

16        ~~10.~~ 12. "Institution" means any establishment, public or  
17 private, which provides inpatient medical, surgical or diagnostic  
18 care or treatment, or nursing, custodial or domiciliary care, to two  
19 or more unrelated individuals, or to which persons are committed by  
20 law.

21        SECTION 2.        NEW LAW        A new section of law to be codified  
22 in the Oklahoma Statutes as Section 1-311.4 of Title 63, unless  
23 there is created a duplication in numbering, reads as follows:

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1 This act shall be known and may be cited as the "MISSing Angels  
2 Act - Christopher and Kendall's Law".

3 SECTION 3. NEW LAW A new section of law to be codified  
4 in the Oklahoma Statutes as Section 1-311.4a of Title 63, unless  
5 there is created a duplication in numbering, reads as follows:

6 A. The State Registrar of Vital Statistics shall establish a  
7 certificate of birth resulting in stillbirth to be offered to the  
8 parent or parents of a stillborn child. The physician or medical  
9 staff treating the stillbirth shall notify the parent of the ability  
10 to request the certificate. The certificate shall be available to  
11 any parent of a stillborn child regardless of the date of the  
12 stillbirth and shall meet all of the requirements provided for in  
13 Section 1-311 of Title 63 of the Oklahoma Statutes. If the place of  
14 stillbirth is unknown or if a stillbirth occurs on a moving  
15 conveyance in Oklahoma, a stillbirth certificate shall be filed with  
16 the State Registrar.

17 B. A blank space shall be left for the name of a stillborn  
18 child on the certificate of birth resulting in stillbirth if the  
19 parent or parents of the stillborn child do not wish to provide a  
20 name.

21 C. The certificate of birth resulting in stillbirth shall be  
22 filed with the designated registrar within seven (7) days following  
23 the delivery and prior to cremation or removal of the fetus from the  
24 registration district.

