

ENROLLED HOUSE
BILL NO. 2995

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

and

Sykes and Brogdon of the
Senate

An Act relating to public health and safety; amending 63 O.S. 2001, Section 1-301, which relates to vital statistics; defining terms; creating the MISSING Angels Act - Christopher and Kendall's Law; providing for establishment of certificate of birth resulting in stillbirth; providing for codification; and providing an effective date.

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

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

Section 1-301. As used in this article:

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

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

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

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

6. "Stillbirth" or "stillborn child" means a fetal death;

7. "Certificate of birth resulting in stillbirth" means a certificate issued to memorialize a stillborn child;

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

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

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

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

~~10.~~ 12. "Institution" means any establishment, public or private, which provides inpatient medical, surgical or diagnostic care or treatment, or nursing, custodial or domiciliary care, to two

or more unrelated individuals, or to which persons are committed by law.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-318.1 of Title 63, unless there is created a duplication in numbering, reads as follows:

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

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-318.2 of Title 63, unless there is created a duplication in numbering, reads as follows:

The State Registrar of Vital Statistics shall establish a certificate of birth resulting in stillbirth to be offered to the parent or parents of a stillborn child. The medical staff treating the stillbirth shall notify the parent of the ability to request the certificate. The certificate shall be available to any parent of a stillborn child upon proper application. This certificate shall not be used as evidence of live birth or for identification purposes.

SECTION 4. This act shall become effective November 1, 2008.

Passed the House of Representatives the 12th day of May, 2008.

Presiding Officer of the House
of Representatives

Passed the Senate the 23rd day of April, 2008.

Presiding Officer of the Senate