

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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SENATE BILL 770

Short Title: Birth Certificate/Stillborn Infants. (Public)

Sponsors: Senators Brock; and Daniel.

Referred to: Health Care.

April 20, 2011

1 A BILL TO BE ENTITLED
2 AN ACT TO AUTHORIZE THE ESTABLISHMENT OF A CERTIFICATE OF BIRTH
3 RESULTING IN STILLBIRTH.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 130A-114 reads as rewritten:

6 "**§ 130A-114. Fetal death ~~registration~~registration; certificate of birth resulting in**
7 **stillbirth.**

8 (a) Each spontaneous fetal death occurring in the State of 20 completed weeks gestation
9 or more, as calculated from the first day of the last normal menstrual period until the day of
10 delivery, shall be reported within 10 days after delivery to the local registrar of the county in
11 which the delivery occurred. The report shall be made on a form prescribed and furnished by
12 the State Registrar.

13 (b) When fetal death occurs in a hospital or other medical facility, the person in charge
14 of the facility shall obtain the cause of fetal death and other required medical information over
15 the signature of the attending physician, and shall prepare and file the report with the local
16 registrar.

17 (c) When a fetal death occurs outside of a hospital or other medical facility, the
18 physician in attendance at or immediately after the delivery shall prepare and file the report.
19 When a fetal death is attended by a person authorized to attend childbirth, the supervising
20 physician shall prepare and file the report. Fetal deaths attended by lay midwives and all other
21 persons shall be treated as deaths without medical attendance as provided for in G.S. 130A-115
22 and the medical examiner shall prepare and file the report.

23 (d) For any spontaneous fetal death occurring in this State, either parent of the stillborn
24 child may file an application with the State Registrar requesting a certificate of birth resulting
25 in stillbirth. The certificate of birth resulting in stillbirth (i) shall be based upon the information
26 available from the fetal death report filed pursuant to this section, (ii) shall not include any
27 reference to the name of the stillborn child if the fetal death report does not include the name of
28 the stillborn child and the parent filing the application does not elect to provide a name, and
29 (iii) shall clearly indicate that it is not proof of a live birth. If the spontaneous fetal death
30 occurred in this State prior to July 1, 2002, the State Registrar may not issue a certificate of
31 birth resulting in stillbirth unless the application for the certificate is accompanied by a certified
32 copy of the fetal death report. Issuance of a certificate of birth resulting in stillbirth does not
33 replace the requirement to file a report of fetal death under this section."

34 **SECTION 2.** The Department of Health and Human Services shall use funds
35 available to the Department to implement the provisions of this act.

36 **SECTION 3.** This act is effective when it becomes law.

