

Department of Legislative Services
Maryland General Assembly
2003 Session

FISCAL AND POLICY NOTE
Revised

House Bill 272

(Delegate Sophocleus, *et al.*)

Health and Government Operations

Education, Health, and Environmental Affairs

Vital Statistics - Certificate of Birth Resulting in Stillbirth

This bill requires the Secretary of Health and Mental Hygiene to establish procedures to issue a certificate of birth resulting in stillbirth. The Department of Health and Mental Hygiene (DHMH) must make available a certificate to the parent or parents of a stillborn child for whom a fetal death was registered. A reference to the stillborn child's first name may not be put on the certificate if the parent or parents do not wish to provide one. DHMH must establish procedures for issuing a certificate to the parent or parents of a stillborn child who received a certificate of fetal death before this bill takes effect.

DHMH must adopt and implement the procedures by January 1, 2004. By October 1, 2005, DHMH must report to the Governor; the Senate Education, Health, and Environmental Affairs Committee; and the House Health and Government Operations Committee on the bill's implementation.

The bill takes effect June 1, 2003.

Fiscal Summary

State Effect: The bill's requirements could be handled with existing budgeted resources. DHMH is not authorized to charge a fee for the certificate.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: DHMH must collect, index, and safeguard from fire, loss, or damage each certificate of birth, death, and fetal death. Each certificate must be typed or legibly printed in unfading black ink, or stored on electronic media.

If a fetal death occurs after a gestation period of 20 weeks or more, then a certificate of fetal death must be filed within 72 hours of the death.

DHMH must provide a certified or abridged copy of a birth, death, or fetal death certificate upon request to any person authorized by regulations. A certified or abridged copy may only be issued: (1) on order of a court of competent jurisdiction; (2) on request of the individual to whom the record relates; (3) on request of a parent, guardian, or other authorized representative of the individual; or (4) in accordance with State family law provisions relating to accessing birth and adoption records and adoption, search, contact, and reunion services.

DHMH must collect a \$6 fee for each certified or abridged copy of a birth, death, fetal death, or marriage certificate or for a report that a search of the files was made and the requested record is not in the file, except as otherwise provided under State law.

Background: The National Institutes of Health (NIH) defines stillbirth as the birth of a dead fetus. NIH indicates that stillbirths may be due to a number of factors including: injuries; illnesses; infections; catastrophic events, such as hemorrhaging or cardiac arrest; birth defects; and uterine factors, such as placental detachment or obstruction.

DHMH's Vital Statistics Administration anticipates 650 stillbirths per year, the same amount of fetal deaths annually in the State.

The Centers for Disease Control and Prevention, National Center for Health Statistics reports that nationally there were 6.6 stillbirths per 1,000 live births plus fetal deaths in 2000.

The National Stillbirth Society reports that there are six states that issue certificates of stillbirth: Arizona, Indiana, Iowa, Kentucky, Massachusetts, and Utah.

DHMH estimates that 30 families annually will request a certificate of birth resulting in stillbirth for their stillborn children.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Health and Mental Hygiene, National Stillbirth Society, National Institute of Health, Centers for Disease Control and Prevention, National Center for Health Statistics, Department of Legislative Services

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