

**HB**

**159**

# Alaska State Legislature

**Interim:**

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Juneau, AK 99654

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**Session:**

Alaska State Capitol, Rm 108  
Juneau, AK 99801-1182

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Rep\_Carl\_Gatto@legis.state.ak.us

**Representative Carl Gatto**  
Co-Chair, House Resources Committee  
District 13 - Palmer

## Changes in blank CS for HB 159 Version /C

1. Section (e) we added a line that states the words "not proof of live birth" must be placed somewhere on the birth certificate resulting in stillbirth
2. Section (g) was changed from giving delayed certificates to allowing the bureau of vital statistics to retroactively issue a birth certificate to parents of a child that was stillborn before the effective date.

25-LS0647C  
Mischel  
3/7/07

**CS FOR HOUSE BILL NO. 159( )**  
**IN THE LEGISLATURE OF THE STATE OF ALASKA**  
**TWENTY-FIFTH LEGISLATURE - FIRST S~~ESS~~ION**

**BY**

**Offered:**  
**Referred:**

**Sponsor(s): REPRESENTATIVES GATTO, Lynn**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to the issuance of a certificate of birth resulting in a stillbirth."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 **\* Section 1. AS 18.50 is amended by adding a new section to read:**

4 **Sec. 18.50.235. Certificate of birth resulting in stillbirth.** (a) The person  
5 required to file a fetal death registration under AS 18.50.240(b) shall advise the  
6 mother and, if the father is present, the father of a stillborn child

7 (1) that the parent may request the preparation of a certificate of birth  
8 resulting in stillbirth;

9 (2) that the parent may obtain a certificate of birth resulting in stillbirth  
10 by contacting the bureau; and

11 (3) of the contact information for the bureau.

12 (b) The parent of a stillborn child who requests a certificate of birth resulting  
13 in stillbirth may provide a name of a stillborn child for placement on the certificate. If  
14 a name is not provided, the bureau shall cause the certificate to show either "baby  
15 boy" or "baby girl," as appropriate, and the last name of the parent who requested the

1 certificate. The name of the stillborn child provided on the certificate of birth resulting  
2 in stillbirth must be the same name as the name on the fetal death certificate.

3 (c) A certificate of birth resulting in stillbirth must include the state file  
4 number of the corresponding fetal death certificate.

5 (d) The department shall prescribe the form and content of a certificate of  
6 birth resulting in stillbirth to record the birth of a stillborn child and specify the  
7 information required to prepare the certificate.

8 (e) A certificate issued under this section is not proof of a live birth, and the  
9 certificate must contain the phrase "not proof of live birth." The bureau may not use a  
10 certificate of birth resulting in stillbirth to calculate live birth statistics.

11 (f) A certificate of birth resulting in stillbirth that is issued by the bureau shall  
12 be filed with the local registrar of the registration district in which the delivery  
13 occurred within five days after issuance. The local registrar shall file the certificate of  
14 birth resulting in stillbirth with the fetal death certificate.

15 (g) A parent may request that the bureau issue a certificate of birth resulting in  
16 still birth regardless of the date on which the certificate of fetal death was issued.

17 (h) The department may adopt regulations needed to implement this section.

18 (i) In this section, "stillbirth" or "stillborn" refers to an unintended, intrauterine  
19 fetal death occurring in the state after a gestational age of 20 completed weeks.

EAST CHICAGO HEALTH DEPARTMENT

EAST CHICAGO, INDIANA

# Certificate of Birth Resulting in Stillbirth

ACCORDING to the records of the EAST CHICAGO HEALTH DEPARTMENT

NAME SHAWN CHRISTOPHER MENSING JR. (000000000)

Was born in EAST CHICAGO, INDIANA on JULY 19, 1992

At the residence of the mother

Local number 123



HEALTH OFFICER SIGNATURE

ISSUED July 1, 2002

**THIS CERTIFICATE IS NOT PROOF OF A LIVE BIRTH**

March 7, 2007

The Honorable Representative Carl Gatto  
The Honorable Representative Bob Roses  
Alaska House of Representatives

Dear Representatives Gatto and Roses,

Thank you for allowing me to testify by telephone on HB 159 (Certificate of Birth Resulting In Stillbirth).

Please create Alaska's "**Certificate of Birth Resulting In Stillbirth.**" These six words are of vital importance. Here is why:

'Stillbirth protocols', and the medical courtesies given to mothers throughout Alaskan hospitals (or lack thereof) dictate the parents may be given mementos such as the baby's "crib-card," the wrist or ankle bands, or the handprints associated with the birth of their baby. Yet parents of stillborn babies check out of the hospital with empty arms, broken hearts and sent home with deep wounds. It's easy to understand that any "tangible item" from these traumatic events could be considered essential in the bereavement process.

Under this bill, parents who lose a child after 20 weeks of gestation would be issued a "**Certificate of Birth Resulting in Stillbirth.**"

As of this letter, the State of South Dakota has been the 15<sup>th</sup> state in the United States to adopt such meaningful legislation. Please support the specific wording, "**Certificate of Birth Resulting In Stillbirth.**" . If your colleagues have concerns over pro-choice issues, consider following Florida's law (14<sup>th</sup> state), and adding clear language, "This Certificate Is Not Proof of Live Birth," to squash those concerns.

Please do not allow the wording to be changed, or any amendments offered to dilute or diminish the issue of "birth." Birth is a process: Life or death is an outcome. To no fault of the parents, their child was born dead. Your great state can deem it very appropriate to acknowledge all of Alaska's stillborn children. The fact is: they lived, they died, and that even in their deaths, all of these children very much matter.

Respectfully with appreciation,



Daryl T. Logullo, Proud Father of Katherine Elizabeth Logullo  
(Born Sleeping on May 10, 2005)

National Legislative Liaison (volunteer)  
[www.MissingAngelsBill.org](http://www.MissingAngelsBill.org)

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Rep\_Carl\_Gatto@legis.state.ak.us

**Representative Carl Gatto**  
Co-Chair, House Resources Committee  
District 13 - Palmer

## SPONSOR STATEMENT HB 159

*"An Act relating to the issuance of a certificate of birth resulting in stillbirth."*

HB 159 is meant to help bring closure to those who have suffered the loss of a child by giving them a Birth Certificate reflecting that they had a child who was stillborn. As one parent of a stillborn child put it "being able to receive a Birth Certificate for that child would make me feel complete in that it would acknowledge that my daughter was born."

As the law stands now parents of a stillborn child receives a death certificate. This bill would allow parents the option of requesting a birth certificate for their stillborn child. This birth certificate is completely optional. If the parents choose to have a Birth Certificate issued they also have the choice to have a name on it and if they choose not to name the child the Birth Certificate will reflect either "baby boy" or "baby girl."

There are an increasing number of states that are now offering Birth Certificates for parents of Stillborns. Let us join these states and offer parents of stillborns the option of obtaining a Birth Certificate for their child. I urge your support for HB 159.

**Sandra Wilson**

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**From:** Michelle Hoyt [mehoyt@mtaonline.net]  
**Sent:** Thursday, February 22, 2007 6:55 PM  
**To:** Sandra Wilson  
**Subject:** Still Birth Bill

Sandra,

The bill to create a 'Birth Certificate resulting in a Still Birth' would make me and a lot of people feel complete. My daughter was still born at 36 weeks and we had a large funeral for her. The idea that the state will only accept the fact that she died is so heart breaking. How can a person die with out being born? Having that piece of paper in my hand would bring closure to the entire grieving process. This would validate that my little girl was once here and apart of our lives.

Thanks so much for bringing this bill forward.

Michelle Hoyt  
907-357-4891

**Sandra Wilson**

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**From:** Lynnette Haas [lhaas@hopealaska.org]  
**Sent:** Wednesday, February 28, 2007 11:28 AM  
**To:** Sandra Wilson  
**Subject:** \*\*\*\*\*SPAM\*\*\*\*\* Certificate of Birth

Hi Sandra

I am writing in support of your proposed bill making it possible for families that have had the traumatic issue of losing a new born child. I have never lost a child, but have had friends that have and the devastation in those families lives is very sad. Families that experience this loss should not have more sadness with a piece of paper that reads DEATH certificate. The feelings of guilt and sadness are feelings that I have never experienced and if a simple piece of paper that shows a birth certificate may soften the blow when a beautiful baby is taken back to heaven. Please know that I am in full support of this bill. My phone number is 907-262-7577 and my address is PO Box 2434 Soldotna Alaska 99669. Thanks for your time. Lynnette Haas

**Sandra Wilson**

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**From:** Sandy Thomas [sthomas@accessalaska.org]  
**Sent:** Wednesday, February 28, 2007 9:46 AM  
**To:** Sandra Wilson  
**Subject:** Missing Angel Bill

The bill should pass for the children born stillborn. I really believe in this. It is important to the parents and the families that this was real. The child was born and died. Please make this happen.

Thank you, Sandra A. Thomas

## "MISSing Angels Legislation - A State Chart"

Those states offering an official, legal document that includes the words Certificate of Birth in the title to the parents of stillborn children are considered 'MISSing Angels States'.

The chart below provides:

1. A direct link to each state's legislative website (click on the state's name).
2. A 'five-star' status of the progress being made in each state.

★ - We have been contacted - someone in the state wants the legislation.

★★ - A state legislator has become involved.

★★★ - Legislation was filed at some point - but it failed to pass. We need your help!

★★★★ - Legislation is pending in the state's current legislative session.

★★★★★ (CoS) - This state offers a "Certificate of Stillbirth".

★★★★★★ - The state offers a document, by legislation, that includes the words 'Certificate of Birth' in the title to the parents of stillborn children. These MISSing Angels states will also have a shaded background.

3. A link to the pending (or) existing legislation, or, the actual statute or law for a particular state.
4. Does the pending (or) existing legislation (or) statute provide for the issuance of a document that includes the words 'Certificate of Birth' in the title to the parents of stillborn children? (Yes or No).
5. If an **Email Action List** has been created for your state - you can sign up to be notified with timely news regarding your state's Missing Angels Bill activity. Your email address will remain safe and secure - and you can help make this important change in your state by clicking on the "Sign Me Up!" link.
6. Email links to members and/or associates of The M.I.S.S. Foundation.

### PLEASE READ - VERY IMPORTANT NOTE:

Although they are both worded very similarly, a "Certificate of Birth Resulting in Stillbirth" and a "Certificate of Stillbirth" are not the same thing.

Legislators, Policy Analysts, and State Health Departments agree, there is a subtle, yet

immense difference in the two.

The M.I.S.S. Foundation believes that all states should record births as births... whether live or still.

Thus, our goal, for those states that offer a "Certificate of Stillbirth", is to legislatively *change* the certificate to a "Certificate of Birth Resulting in Stillbirth" - which we view as a "BIRTH" certificate.

If there are no members listed for your state, and you'd like to champion for it, please email Joanne Cacciatore or John Nevels.

Please report any 'broken' or incorrect links that you may find on this chart to: John Nevels.

State:	Five-Star Status:	Link to Bill or Statute:	Yes or No:	MISS Foundation Contact(s):
<u>Alabama</u>	★ ★ ★	<u>HB208 (2004 Regular Session)</u> ( <u>'Indefinitely postponed'</u> as of May 5, 2004)	Yes	<u>Stormy Entrekin</u>
<u>Alaska</u>	★			<u>Rhonda Crawford</u>
<u>Arizona</u>	★ ★ ★	<u>Arizona Revised Statutes 43.1023</u>		<u>Joanne Cacciatore</u>
Arizona - State Tax Exemption for		<u>Arizona Revised Statutes 43.1023</u> (LAW enacted May 10, 2004)		<u>Joanne Cacciatore</u>

Stillborn Children				
<u>Arkansas</u>	★★★★ (CoS)	No known reference in 'Arkansas Code'... New legislation pending as of February 13, 2007	No	<u>Lynette Spruiell</u>
<u>California</u>	★★★	First Attempt (AB1929) Withdrawn		<u>Kirsten Pert</u> (lead contact), <u>Katie Hodge</u> , <u>Kim Lotz</u> , <u>Sari Edber</u> , <u>Sunita Param</u>
<u>Colorado</u>	★★★★ (CoS)	<u>Colorado Revised Statutes 25-2-112.3</u> (Law enacted July 1, 2004)	No	<u>Caprice Bass</u> , <u>Leslie Clemenson</u>
<u>Connecticut</u>	★			<u>Kelly Weber</u>
<u>Delaware</u>	★★★★ (CoS)	<u>Delaware Code Title 16, Subchapter 1, Paragraph 3110(h)</u> (Law enacted July 22, 2004)	No	
<u>District of Columbia</u>				
<u>Florida</u>	★★★★	SB 25 signed by Governor Jeb Bush, 2004		<u>Debra Smith</u> (e-mail) <u>Christine Gas</u> <u>Vogel</u>
<u>Georgia</u>				
<u>Hawaii</u>	★			<u>Angela Bilan</u>
<u>Idaho</u>	★★★★ (CoS)	<u>Idaho Statute 39-260</u>	No	<u>Nancy Grayson</u>
<u>Illinois</u>	★★★★ (CoS)	<u>Public Act 93-0578</u>	No	<u>Mary Geitz</u> (e-

				mail) and (website)
<u>Indiana</u>	★★★★★	<u>Indiana Code 16-37-1</u> (LAW enacted Aug)	Yes	<u>Eric Dunwood</u>
<u>Iowa</u>	★★★★★ (CoS)	<u>Iowa Code Chapter 144</u> (No direct mention of CoS in code. Done by policy - not by law)	No	<u>Laura Mikota,</u> <u>Jaye Zessar</u>
<u>Kansas</u>	★★★★★ (CoS)	<u>K.S.A. 65-2412</u>	No	<u>Karen and Alan Wondra,</u> <u>Pat Flynn</u>
<u>Kentucky</u>	★★★★★ (CoS)	<u>Kentucky Revised Statutes 213.096</u> (By policy - not by law)	No	
<u>Louisiana</u>	+++++	<u>Louisiana Revised Statutes</u>		
<u>Maine</u>				
<u>Massachusetts</u>	★★★★★	<u>Chapter 230 of the Acts of 2002</u> (LAW enacted August)	Yes	<u>Lynne Barberian</u>

		IG: 2002)		
<u>Michigan</u>	★★★★ (CoS)	<u>Michigan Compiled Law</u> <u>Act 368 of 1978</u> <u>Section 333.2834</u> (Effective October 1, 2002)	No	<u>Michelle Baird</u>
<u>Mississippi</u>	★★★	<u>HB 566</u> (sent to Senate H & W committee as of January 19, 2007) ~ and ~ <u>SB 2764</u> (passed Senate as of February 6, 2007)	Yes	<u>Stacy Credille</u>
<u>Missouri - State Tax Exemption for Stillborn Children</u>		<u>House Bill 816</u> Introduced and read first time on February 8, 2007		<u>Patrick Barclay</u>
<u>Montana</u>	★★★	<u>SB402</u> Passed Senate, but reported dead in committee on April 21, 2005	Yes	<u>Senator Gary L. Perry</u>
<u>Nebraska</u>	★			<u>Brandy Richardson</u>
<u>Nevada</u>	★			<u>Jacque Fougner</u>

<u>New Hampshire</u>	★★	House Bill (Number Assignment Pending)	Yes	<u>Stacey Burnell</u>
<u>New Mexico</u>	★★			<u>Renee Padilla,</u> <u>Chuck Baca,</u> <u>Christy Rutherford,</u> <u>Carin Dhaouadi</u>
<u>New York</u>	★★★	<u>A02264</u> (sent to Health as of January 16, 2007) ~ and ~ <u>S00186</u> (sent to Health as of January 3, 2007)	Yes	<u>Janet Press,</u> <u>Bryan &amp; Kimberly Granata</u>
<u>North Carolina</u>	★★★	<u>Senate Bill 46</u> In Senate - held as filed as of February 1, 2007	Yes	<u>Natalie Conner,</u> <u>Karl Huber,</u> <u>Kelly Webster</u>
<u>North Dakota</u>	★★★	<u>House Bill 1129</u> Passed House on February 12, 2007	Yes	<u>Melissa Stuart</u>
<u>Ohio</u>	★★★ (CoS)	<u>Ohio Revised Code §3705.23(B)(3)</u>	No	<u>Kym Smith</u>
<u>Oklahoma</u>	★★★	<u>SB889 (2005 Regular Session)</u> (Voted down as of March 5, 2004)	Yes	<u>Pat Flynn</u>
<u>Oregon</u>	★★★★ (CoS)	<u>Oregon Revised Statutes Chapter 432 - Vital</u>	No	<u>Nita Lundberg</u>

		<u>Statistics</u> <u>Section 432.266</u> Effective on January 1, 2006		
<u>Pennsylvania</u>	★ ★ ★	<u>House Bill 1031</u> Laid on the table, September 26, 2005	No	<u>Dorothy Knappenberger</u>
<u>Rhode Island</u>	★ ★	<u>House Bill 5086</u> Introduced and referred to House H.E.W. on January 17, 2007	Yes	<u>Richard &amp; Nancy Silva</u>
[REDACTED]				
<u>South Dakota</u>	★ ★ ★	<u>Senate Bill 206</u> Passed Senate as of February 13, 2007	Yes	<u>Sharon Apa</u>
<u>Tennessee</u>	★ ★ ★	<u>SB2003</u> (Bill died in committee on May 4, 2005)	No	<u>Elisha Conway</u>
[REDACTED]				
[REDACTED]				
<u>Vermont</u>				
<u>Virginia</u>	★ ★ ★ ★ ★	<u>Title 32.1, Chapter 7</u> <u>Section 235.1</u> (LAW effective July)	Yes	

<u>Washington</u>	★ ★			<u>Liz Allen , Kara</u> <u>L.C. Jones</u>
<u>West Virginia</u>	★			
<u>Wyoming</u>				



M.I.S.S. Foundation

"L.R.S. News Article Index"

The MISS Foundation's Homepage | L.R.S. Homepage | L.R.S. News Article Index

## Stillborns, their parents say, deserve birth certificates

Stillborns, their parents say, deserve birth certificates  
Thursday, September 25, 2003

By MICHELLE HAN  
TRENTON BUREAU

Clare Paula Faith's name is etched on a stone column at a Paramus cemetery. Leafy trees provide cool shade. Surrounding headstones bear silent witness to those who come and go.

This is where Jennie Faith visits every once in a while to grieve for her stillborn baby girl.

Yet the burden that Jennie and John Faith carry from losing a child is compounded by a little-known aspect of state law that affects hundreds of parents statewide: There is no birth certificate for a stillborn like Clare.

Although the state requires parents to bury stillborns, it does not provide a certificate of birth. According to official state records, Jennie and John Faith's baby died and was buried, but was never born.

Their experience led the Ridgewood couple to join a movement to persuade lawmakers in New Jersey to allow parents like them to receive a "certificate of birth resulting in stillbirth." A bill being considered in Trenton would give parents a certificate if they want it.

"It would have been one more thing you would get," Jennie Faith said in a recent interview. "Because you don't get anything - you leave the hospital with a box."

For parents struggling to overcome the pain of a stillbirth, the certificate is one way to validate the experience of birth and loss. To bury an infant but be denied a document that records the birth, these parents say, only adds insult to the excruciating grief of losing a child they had hoped to raise.

A national effort has led to such laws in 10 states. Arizona was the first to

pass a law in 2001, and it has issued 827 certificates of birth for stillborn children since then.

Jennie Faith was in her last month of pregnancy when, one Saturday, she no longer felt the baby kick. A visit to the doctor, revealed the unthinkable: The baby had died.

More shock came when the doctors told her she would have to go through labor anyway. "I thought they were insane," she said.

With her husband at her side, Jennie delivered a 6-pound, 11-ounce baby girl into a room full of doctors and nurses. It was silent. The baby's umbilical cord was tied in a knot.

The nurses cleaned and dressed the infant in a white outfit and baby hat, and handed her to the Faiths. The parents had already discussed names, and knew that if it was a girl, she would be called Clare.

Jennie remembers the way the baby's mouth hung open, and how her arm dropped out of the blanket to the side. And she remembers thinking, "That's a Faith. That could have been one of my other babies sleeping."

She left the hospital the next day with a pale blue satin box. It held a card where the nurses had taken a footprint of Clare in ink, the clothes and hats she wore, and Polaroid snapshots of Clare - mouth open and arm flopped over the side.

It wasn't until after the Faiths had Clare interred at the cemetery that they learned, through a support network of parents, that they were not entitled to any official document recording her stillbirth. All they could ask for was a fetal death certificate, which they opted not to receive.

"I said to myself, this isn't right," she said. "The state is acknowledging that she died but not that she was born. My body went through the exact same thing it did two times before - with a very different end result, but it did exactly the same thing."

Nearly a decade earlier, Joann Cacciatore-Garard faced the same realization when her fourth child died 15 minutes before delivery. That experience eventually led her to form the Mothers In Sympathy and Support (MISS) Foundation, a non-profit organization devoted to advocacy work and creating support networks.

An estimated 26,000 to 39,000 stillbirths take place in the United States each year. In New Jersey, there were 804 stillbirths in 2001, the last year for which statistics are complete, according to a Health Department spokesman.

By definition, a stillbirth is when a baby dies in utero after it has been in the womb for at least 20 weeks. A death before 20 weeks is classified as a miscarriage.

Some stillborns are delivered as early as 21 weeks, but most die shortly before their expected birth, according to the National Stillbirth Society, a group that was founded in 2001 and also advocates for birth certificates. In more than half of all stillbirths, the cause of death is never known.

The movement also reflects a social shift in the way the birth process is viewed. Technological advances now let expectant parents distribute their baby's very first photo - the sonogram - to friends and family via e-mail. And fathers, once expected to do nothing more than stand by nervously in waiting rooms, are now a common - even expected - presence in delivery rooms, often with camera in hand.

Over the years, federal and state guidelines have evolved to shape the way vital statistics are reported. In New Jersey, those parameters have not included provisions for stillborn birth certificates. The new category became an issue only after the bill was introduced last year.

So far, laws have been passed and implemented in 10 states, according to the MISS Foundation, which tracks the issue nationwide. Bills have been introduced in 13 other states, including New Jersey. But the effort stalled in two states, and in one of them, California, the issue became caught in the crossfire of abortion politics.

The California bill was withdrawn after the state chapter of the National Organization for Women and the American College of Obstetricians and Gynecologists opposed it. Because the bill would allow the state to record stillbirths, they argued that the door could eventually be opened to mandatory reporting of late-term abortions, which would violate women's privacy. Cacciatore-Garard said that assumption was wrong because California does not require abortions to be reported.

"There's this impression that this is some surreptitious movement to reverse *Roe vs. Wade*," she said. "That's just not true. This is grass-roots, non-political women and sometimes men, who got together to pass this bill."

In New Jersey, pro-choice and antiabortion groups say they have not taken a position on the bill, and the chairman of the New Jersey chapter of the obstetrician's group says he was not aware such a bill was under consideration.

Still, one pro-choice lawmaker has already worked to keep the bill from igniting a debate over abortion.

"This is one of those small changes that the Legislature and the governor can do that can make people's lives a little bit better," said Sen. Thomas Kean Jr., a Republican who sponsored the bill in the Senate, which passed it 35-0 in June. "My goal with this legislation is not to impact [the abortion] debate."

But the bill was held up in the Assembly Health and Human Services Committee after members raised questions about its language and purpose during a meeting.

Assemblywoman Loretta Weinberg, D-Fort Lee, who heads that committee, added language that says the certificates would apply only to "unintended" fetal deaths to prevent the certificates from applying to aborted fetuses.

The amendments have yet to be adopted by the committee. Weinberg, who is pro-choice, said she plans to support the bill with the amendments in the Assembly, which is dominated by Democrats.

Cacciatore-Garard endorsed the change, saying that she and other supporters are just as eager to minimize unintended uses of the law.

Jennie Faith hopes the law will benefit other parents in New Jersey. She also thinks it would be a fitting legacy for Clare, who is depicted as an angel with wings in crayon pictures drawn by her two young daughters, Mary and Grace. "She has had such a profound effect on me," she said. "Maybe she could also make a difference with this, even though she was only here for such a brief time."

E-mail: [han@northjersey.com](mailto:han@northjersey.com)

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Sudden Antenatal Death Syndrome

*The National Stillbirth Society Inc.*  
"Because all our Children Matter"

## **TO: An Open Letter to Members of the Alaska Legislature**

### **Please enact HB 159 to create Certificates of Birth Resulting in Stillbirth**

The written record of life usually begins with a Certificate of Birth and ends with a Certificate of Death, but not for all babies. Last year 30,000 babies were "stillborn", victims of Sudden Antenatal Death Syndrome. These babies, past 20 weeks and for the most part viable, often died mysteriously in their mothers' wombs for no discernable reason. For them there is no Certificate of Birth. They are issued Certificates of Fetal Death that record their passing, but not Certificates of Birth that acknowledge their delivery. Why Not? Should not two certificates be issued, one to mark their death, the other to record their birth?

**Birth is a process all mothers go through, regardless of the outcome. Mother's of stillborn babies "give birth", they just don't give life. The piece of paper we routinely refer to as a Certificate of Birth is actually titled, "Certificate of Live Birth". Doesn't this wording suggest there is another kind of birth? The answer is an obvious "Yes". There's "live birth" and then there's "stillbirth". Both qualify as "births".**

Stillbirth mothers deserve to have their motherhood recognized and validated by the issuance of a Certificate of Birth Resulting in Stillbirth, just as live birth mothers have their birth event recognized. They are mothers; that their baby died before its birth does not take that reality away from them. And stillbirth fathers are no less fathers because of their loss.

**I am a father. My daughter Camille died in utero on the eve of her delivery at 41 weeks!**

Arizona recognized the inequality of how stillbirths were being treated and in 2001 passed HB2416, mandating that the Bureau of Vital Statistics offer parents of all stillborn babies a "Certificate of Birth Resulting in Stillbirth". This certificate is in addition to - and separate from - the Certificate of Fetal Death which is not affected in any way by the legislation. One document recognizes the brave act of the mother who bore a "still" baby, while the other recognizes the death of that child prior to birth. (For a recap of current legislative activity in all states and specimen bills see <http://www.missingangelsbill.org>.)

**Both past and current stillbirths in Arizona are eligible to be issued such a Certificate.**

The issuance of a Certificate of Birth Resulting in Stillbirth does not impact in any way a woman's right to choose to terminate her pregnancy. Such certificates are issued only for deliveries following naturally occurring fetal deaths. Women who choose an elective termination of their pregnancy would neither be required to obtain a Certificate of Birth Resulting in Stillbirth, nor would they even be eligible for the reason elective terminations don't fall within the definition of a "stillbirth".


**Also important to note is that this measure is not about taxes or financial relief or gain of any type. Stillbirth parents are not seeking a dependent deduction, though one must ask whether it would not be appropriate to offer stillbirth parents the same tax benefit as live birth parents, since they bear the added cost of burial. But for the present, we want to focus solely on the societal issue of equal treatment for all birth mothers.**

At present the mothers and fathers of stillborn babies suffer not only the loss of their baby but also the loss of societal acknowledgement that they are parents. Our country has historically been silent about stillbirth, preferring not to discuss this uncomfortable topic. Because of that silence there has been little done in the way of research or prevention. Stillbirth is a phenomenon that cuts across every strata of society; no one is immune. It strikes women as randomly as lightning bolts come to ground in a thunderstorm, making it all the more terrifying.

**One in every 116 births is a stillbirth! Eighty eventy babies a day are born still every day in America; over five hundred every week.**

The National Stillbirth Society, founded in 2001 by this stillbirth father, is sponsoring a nationwide drive to draw attention to the devastation caused to families worldwide by stillbirth. We will achieve this goal in part by getting state legislatures to enact legislation to acknowledge that mothers of stillborn babies are entitled to receive recognition for the child that they conceived and nurtured, but lost at birth..

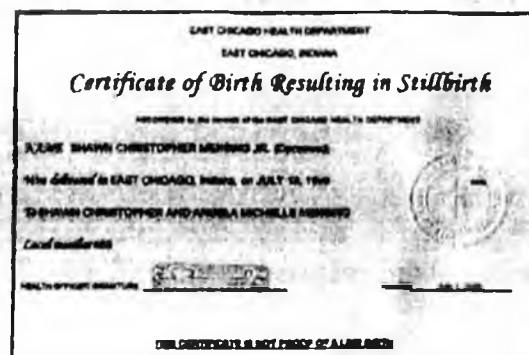
When she signed the enabling legislation, Arizona's Governor Jane Dee Hull commented, "This is a step long overdue". She must have been right because legislators in every state where it has been enacted into law have done so on unanimous votes! That's because dead babies and bereaved parents are deemed to deserve more respect than they have been given up to now. It passed in Massachusetts – a liberal state – as easily as it did in Utah. This is truly a non-partisan issue, non-controversial issue. Thank you.



Richard K. Olsen, Founder & Executive Director



Shown at left is how Iowa implemented the Act once passed. Below is how Indiana did it. The point is to provide closure for stillbirth parents by acknowledging the birth.





# *The Commonwealth of Massachusetts*

HOUSE OF REPRESENTATIVES  
STATE HOUSE, BOSTON 02133-1054

**GARRETT J. BRADLEY**  
REPRESENTATIVE  
3RD PLYMOUTH DISTRICT

STATE HOUSE, ROOM 136  
BOSTON, MA 02133-2120  
TEL. (617) 722-2308  
FAX (617) 722-2819

February 15, 2007

Committees:

JUDICIARY, VICE CHAIR  
LABOR AND WORKFORCE DEVELOPMENT  
BONDING, CAPITAL EXPENDITURES AND STATE ASSETS

E-Mail: [Rep.GarrettBradley@hou.state.ma.us](mailto:Rep.GarrettBradley@hou.state.ma.us)

Joanne Cacciatore  
Founder and CEO  
Miss Foundation  
P.O. Box 5333  
Peoria, AZ 85385-5333

Dear Joanne,

It was a pleasure to speak with you recently regarding your organization and the wonderful work you do. This still birth certificate issue was resolved several years ago by passage of a bill allowing for "Certificates of Birth resulting in Still Birth" rather than the previous "report of fetal death". This bill was brought to the attention of the late State Senator Charles Shannon by a constituent who was outraged that after carrying her baby to term she could not get a birth certificate because the child was still born. The baby even had a heart beat right up until a few minutes before birth.

I know this because I sat on the Government Regulations Committee that heard her testimony and I was assigned the task of working out any issue with the bill. I am a pro-choice democratic and expected some opposition from both sides of the abortion debate. I was pleasantly surprised when both groups were able to remain out of the debate because we did not change the current law regarding classification of a fetus in utero. Currently, there is already a definition of viability that is mainly used in homicide cases to see if an act that causes the death of a fetus can be considered with a crime. We just used the same language in our bill and both sides remained neutral on the legislation.

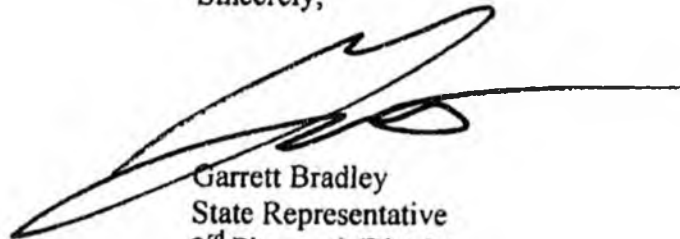
The real opposition came from the Registry of Vital Statistics who were concerned about whether someone could obtain a copy of a still birth certificate and create an identity. This is when we changed it from "Certificate of Still Birth" to "Certificate of Birth resulting in Still Birth" which was sufficient for this agency. We also made obtaining one the option of the parent or parents and left the decision whether to name the child to them as well. The bill passed both branches and was signed by then

Page Two  
Joanne Cacciatore  
Founder and CEO  
Miss Foundation  
February 15, 2007

Acting Governor Swift, a Republican. This was a bi-partisan effort that, does not and should not, delve into the abortion debate.

As a pro-choice Democrat, I hope this is passed in every state. If I can be of assistance please let me know.

Sincerely,

A handwritten signature in black ink, appearing to read 'Garrett Bradley', with a long horizontal flourish extending to the right.

Garrett Bradley  
State Representative  
3<sup>rd</sup> Plymouth District

## Stillbirth Rates (1995 - 1999)

Per 1,000 Live Births

<u>State</u>	<u>1999</u>	<u>1998</u>	<u>1997</u>	<u>1996</u>	<u>1995</u>
Alabama		9.5	8.6	9.3	9.5
Alaska			(1994 - 1998 4.1)		
Arizona	7.5	7.7	8.4	6.4	6.9
Arkansas		6.3	7.7	8.1	7.3
California	5.4				
Colorado		6.3	6.9		
Connecticut		6.8	6.1	6.4	
Delaware (e)					
Florida	8.0	7.8	7.9	7.8	8.1
Georgia				(1994 - 1996 9.5)	
Hawaii		5.3			
Idaho		5.9			
Illinois	7.0	6.8	6.5	7.1	6.9
Indiana		6.5	7.1	7.7	7.6
Iowa	5.9				
Kansas		5.2			
Kentucky		6.3	6.6		
Louisiana		7.5	7.5	8.0	7.4
Maine (e)					3.5
Maryland			6.8		
Massachusetts (e)					
Michigan		6.2	5.9	5.7	5.7
Minnesota	6.2	6.0	5.6		
Mississippi	10.3	9.9	12.7	11.0	11.4
Missouri		6.0	(1989 - 1998 6.2)		
Montana	5.8	7.0	4.5	5.4	6.0
Nebraska		(1995 - 1999 5.9)			
Nevada (e)					
New Hampshire			6.8		
New Jersey			6.5	6.6	6.5
New Mexico			3.8		
New York			8.7		
North Carolina					
North Dakota		6.2	(1994 - 1997 6.0)		
Ohio		6.7	6.8	6.9	7.3
Oklahoma		6.6	6.5	6.7	7.4
Oregon			5.4	5.8	5.5
Pennsylvania		14.8	13.8	14.1	15.4
Rhode Island (e)					
South Carolina (e)					
South Dakota		3.1	4.0		
Tennessee		5.0	5.2	5.6	5.3
Texas	6.0	5.8	5.9	5.9	6.3
Utah	4.6	4.5	4.9	5.8	5.7

<u>State</u>	<u>1999</u>	<u>1998</u>	<u>1997</u>	<u>1996</u>	<u>1995</u>
--------------	-------------	-------------	-------------	-------------	-------------

Vermont	4.4	3.2	4.2	4.1	3.5
Virginia	4.8	4.9	4.9	5.0	4.9
Washington		5.9	5.8	5.9	5.4
West Virginia		6.0	6.7	6.3	6.8
Wisconsin		5.9			
Wyoming		3.8	4.2	7.6	5.4
US Totals			6.8	6.9	7.0
Canada Totals			6.1	5.8	

# Alaska State Legislature

**Interim:**

600 E. Railroad Ave  
Wasilla, AK 99654

Phone: (907) 376-3725

Fax: (907) 376-4768



**Session:**  
Alaska State Capitol, Rm 108  
Juneau, AK 99801-1182

Phone: (907) 465-3743

Fax: (907) 465-2381

Toll Free: (800) 565-3743

Rep\_Carl\_Gatto@legis.state.ak.us

**Representative Carl Gatto**  
Co-Chair, House Resources Committee  
District 13 - Palmer

## SPONSOR STATEMENT

### HB 159

*"An Act relating to the issuance of a certificate of birth resulting in stillbirth."*

HB 159 is meant to help bring closure to those who have suffered the loss of a stillborn child by giving them a Birth Certificate reflecting that they had a child who was stillborn. To paraphrase one parent of a stillborn child said being able to receive a Birth Certificate for that child would make me feel complete in that it would acknowledge that my daughter existed, even if it was only for a short while.

In existing law parents of a stillborn child receive a death certificate. This bill would allow parents the option of requesting a certificate of birth for their stillborn child. This birth certificate is completely optional. If the parents choose to have a Birth Certificate issued they also have the choice to have a name on it and if they choose not to name the child the Birth Certificate will reflect either "baby boy" or "baby girl."

There are an increasing number of states that are now offering Birth Certificates for parents of Stillborns. Let us join these states and offer parents of stillborns the option of obtaining a Birth Certificate for their child. I urge your support for HB 159.

### **What is a stillbirth?**

Stillbirth is the death of a baby after the 20<sup>th</sup> week of pregnancy, but before delivery. The baby might have died in the uterus weeks or hours before labor, or rarely, during labor.

### **How common are stillbirths?**

Stillbirth occurs in about 1 percent of all births.

### **What causes stillbirths?**

The three major causes of stillbirths are:

- **Problems with the placenta and/or umbilical cord** — Because the fetus gets its blood, oxygen, and nutrients through the placenta and umbilical cord, problems in either will interfere with fetal development.
- **Maternal medical conditions and lifestyle choices** — Certain illnesses in the mother, or their treatments, sometimes cause stillbirths. Some of these conditions include high blood pressure, pre-eclampsia (high blood pressure and swelling, often late in the pregnancy) diabetes, lupus, heart or thyroid disease, and certain viral or bacterial infections. Older mothers are usually at increased risk for these conditions, as well as for stillbirths. Smoking, drinking alcohol, and using certain recreational drugs during pregnancy are also associated with higher rates of stillbirth.
- **Birth defects** — In about one-fourth of stillborn babies, one or more birth defects are responsible for the death. Many are found only after a thorough examination of the baby and an autopsy.

Unfortunately, many stillbirths are unexplained, which only adds to parents' grief.

### **What happens after a stillborn baby is delivered?**

You will be able to hold your baby, and your health care providers will allow you as much time as you need to spend with your child. You might feel uncomfortable with this idea at first.

Ask for and keep any mementos and keepsakes of your child, such as the I.D. bracelet, blanket, or a lock of your child's hair, and take as many pictures as possible. As with holding your baby, this might also be uncomfortable but it might be a cherished possession at a later time and might help you during your grieving process. Most hospitals will issue the family a birth certificate, but make sure you ask, and request that it include the baby's hand and footprints.

### **Can a stillbirth be prevented?**

Usually a stillbirth cannot be prevented, and often occurs because the baby's development was not normal.

Sometimes, treatment of a mother's illness can improve the chances for a successful pregnancy.

### **Is a funeral necessary?**

After the death of your baby, one of the first decisions you will be faced with is whether or not you need to arrange a funeral.

The type of arrangements you make might play an important role in the grieving process. It is a decision that only you and your partner can reach together. You might find that you need time to make your decisions and arrangements. It is quite common for families to take up to a week (and sometimes longer) to make arrangements. This is okay.

No matter what your choice is, you have the right to change your mind. Be sure you ask whomever is carrying out your arrangements just how long you have to make any changes.

**Rebecca Rooney**

---

**From:** Rep. Peggy Wilson  
**Sent:** Monday, March 12, 2007 7:51 PM  
**To:** Rebecca Rooney  
**Subject:** FW: \*\*\*\*\*SPAM\*\*\*\*\* Support for HB 159 "Stillbirth Certificate"

---

**From:** Donna Stephens [mailto:donnastephens@gci.net]  
**Sent:** Monday, March 12, 2007 4:22 PM  
**To:** Rep. Peggy Wilson  
**Cc:** 'Julia Thorsness'  
**Subject:** \*\*\*\*\*SPAM\*\*\*\*\* Support for HB 159 "Stillbirth Certificate"

Dear Representative Wilson,

I would like to encourage swift passage of HB 159, "Stillbirth Certificate" by you and the Health, Education, and Social Services Committee. As a professional who supports grieving parents I would like to attest to the importance of acknowledgement of each child's life. This bill allows for an oversight of state bureaucracy to be easily corrected and to ease the heartache of parents whose children's lives are tragically short.

Thank you for attending to this matter.

*Donna M. Stephens*

Donna M. Stephens, RN, MEd  
Fellow in Thanatology; Certified Trauma and Loss Clinical Specialist  
Forget Me Not Grief Program Coordinator  
donnastephens@gci.net  
907. 346-4663(direct)  
907. 346-1668 (fax) 907. 229-0721 (cell)  
Hospice Office - 561-5322  
www.hospiceofanchorage.org  
500 W International Airport Rd, Suite C  
Anchorage AK 99518



# Alaska State Legislature

Please enter into the record my testimony to the HHESS  
 committee name  
 committee on HB 159 , dated 3-15-07  
 bill/subject

Chauna Sheppard, 4032 Reka Drive #K-1

Anchorage, AK 99508 Phone:(907) 333-7650 or (907) 350-7299

Please also add this to the top to better identify it if possible:

HB159 STILLBIRTH CERTIFICATE SUPPORT TESTIMONY

Chauna Sheppard

home 907-333-7650/ cell 350-7299

Chauna Sheppard

home 907-333-7650/ cell 350-7299

Signed: ABOVE

Testifier

Representing (Optional)

Address

Phone No.

### STORY OF DANIEL GAVIN,

IN 2002, I became pregnant for the first time in my life at the age of 32. We were overjoyed and considered this a miracle baby after being diagnosed with Fertility problems.

I walked on air with happiness, eating healthier, drinking extra water and taking every breath with my precious baby in mind. That summer we purchased a larger car, a crib and swing, stocked up on diapers of various sizes, and dozens of outfits. We went to child birth classes and even did relaxation exercises at home to prepare for labor. We bought a dishwasher and put new carpet in the house to prepare for baby.

I never missed a doctor appointment and even switched doctors so I could get higher quality care. We got ultrasound videos and pictures. I really enjoyed feeling his regular kicking, rolling and occasional hic ups.

Daniel was due on November 26<sup>th</sup>. It was that morning that after a bit of poking and juice drinking that I couldn't seem to wake my son. My doctor sent me to the maternity ward where using a Doppler speaker they couldn't hear a heartbeat. At that point we had an ultrasound where we could not see any movement of his heart in those tiny ribs on the tv screen. It was the most painful reality of my life to know my baby had died.

I was induced at apx 2:30pm on Nov 26<sup>th</sup>. We went through 17 hours of labor that including an epidural, pain and nausea medication, IV's and 2 hours of pushing. Daniel Gavin was born weighing 7lb 14oz and 19 inches long at 7:30am.

His warm, soft, beautiful body was placed on my chest where my husband and I cuddled and kissed and loved him even more than the day before. The nurse bathed him. We dressed him and friends and family came to hold him as well. I distinctly remember one dear friend rocking him just like he was any other baby. The hospital took foot prints and cut a lock of hair for us to keep. They also gave us two camera's to take pictures of our beautiful boy. We were so lucky to be able to keep him with us for 12 hours. We sang to him and prayed before we had to let him go and begin the long painful journey of grief.

The next day the hospital gave us a generic card with his name and birthday on it written in marker and told us that we won't get a birth certificate because he never took a breath. This was a harsh blow after all we had been through. We drove home from the hospital on Thanksgiving Day with an empty car seat, empty arms and broken hearts.

As sad as this was, we still love Daniel so much, he will always be a part of our family. We do things on his birthday and other times of the year to show him our love. Though we never saw his eyes or heard him cry, my son Daniel is such a gift and we are so thankful for him. There never has been a day when I thought I wasted 9 months carrying him or a time when I wish he never existed. Never, ever... I wish the State of Alaska would not treat him as such.

In 1892 American Author Mark Twin said, "Favored above Kings and Emporers is the stillborn child." I wish stillbirth and the experience of having to deliver a dead baby was respected in this manner today.

This tragedy strikes everywhere. According to the Center for Positive Outcomes in Pregnancy in Washington DC, there are 39,000 stilbirths in the U.S. every year.

Historically, we share this horrific experience with John Quincy Adams, Rutherford Hayes, Ernest and Pauline Hemingway, and John and Jackie Kennedy, whose stillborn daughter is buried with her parents and siblings.

Ask any woman why she would endure the pain and agony of giving birth and she will tell you because of the 'reward' at the end...it is 'all worth it' we frequently hear. But what about the silent births- the women who get no reward for all their hard work...

I stand before you today asking you to make this right...Please pass bill 159.

Sincerely,

Chauna Sheppard



# Alaska State Legislature

Please enter into the record my testimony to the HHESS  
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Chauna Sheppard, 4032 Reka Drive #K-1

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I stand before you today asking you to make this right...Please pass bill 159.

Sincerely,

Chauna Sheppard

# CERTIFICATE OF LIVE BIRTH

150

STATE FILE NUMBER

RECORDER'S NO.

ALASKA DEPARTMENT OF HEALTH AND SOCIAL SERVICES  
BUREAU OF VITAL STATISTICS - JUNEAU, ALASKA 99811

DATE RECEIVED

1. CHILD'S NAME		FIRST	MIDDLE	LAST	
CHILD	2. SEX	3a. DATE OF BIRTH (MONTH, DAY, YEAR)	3b. HOUR	STATE OF BIRTH <b>ALASKA</b>	3c. CITY, VILLAGE OR LOCATION
	4. PLACE OF BIRTH: <input type="checkbox"/> Hospital <input type="checkbox"/> Freestanding Birthing Center <input type="checkbox"/> Clinic/Doctor's Office <input type="checkbox"/> Residence <input type="checkbox"/> Other (Specify)				5. FACILITY NAME (If not institution, give street and number)
CERTIFIER/ ATTENDANT	6. I certify that this child was born alive at the place and time and on the date stated		7. DATE SIGNED (Month, Day, Year)	8. CERTIFIER'S NAME AND TITLE (Type/Print) Name <input type="checkbox"/> M.D. <input type="checkbox"/> D.O. <input type="checkbox"/> Hospital Admin. <input type="checkbox"/> R.N. <input type="checkbox"/> C.N.M. <input type="checkbox"/> C.H.A./C.H.P. <input type="checkbox"/> Other Midwife <input type="checkbox"/> Other (Specify)	
	9. ATTENDANT'S NAME & TITLE (If other than certifier) (Type/Print) <input type="checkbox"/> M.D. <input type="checkbox"/> D.O. <input type="checkbox"/> C.N.M. <input type="checkbox"/> C.H.A./C.H.P. <input type="checkbox"/> Other Midwife <input type="checkbox"/> Other (Specify) Name			10. ATTENDANT'S MAILING ADDRESS (Street & No., Rural Route No., City/Town/State/Zip Code)	
MOTHER	11a. MOTHER'S NAME (First, Middle, Last)		11b. MAIDEN SURNAME		12. BIRTHPLACE (State or Foreign Country)
	13. DATE OF BIRTH (Month, Day, Year)		14a. RESIDENCE-STATE		14b. CITY, TOWN, OR LOCATION
14c. RESIDENCE ADDRESS				15. INSIDE CITY LIMITS OR SETTLED COMMUNITY? <input type="checkbox"/> YES <input type="checkbox"/> NO	
FATHER	16. FATHER'S NAME (First, Middle, Last)		17. DATE OF BIRTH (Month, Day, Year)		18. BIRTHPLACE (State or Foreign Country)
	19a. I certify that the personal information provided on this certificate is correct to the best of my knowledge and belief. (Signature of parent)			19b. MOTHER'S MAILING ADDRESS (Street or P.O. Box No., City or Village, State, Zip Code)	
20a. RECORDER SIGNATURE		20b. ADDRESS		20c. RECORDING DISTRICT	20d. DATE RECORDED

# CERTIFICATE OF FETAL DEATH

ALASKA DEPARTMENT OF HEALTH AND SOCIAL SERVICES  
BUREAU OF VITAL STATISTICS - JUNEAU, ALASKA 99911-0675

STATE FILE NUMBER

WRITE OR PRINT IN  
PERMANENT INK

RECORDER'S NO	DATE REGISTERED
---------------	-----------------

**FETUS**

1. FETUS—NAME FIRST MIDDLE LAST	
2. SEX	3a. THIS DELIVERY <input type="checkbox"/> TWIN <input type="checkbox"/> SINGLE <input type="checkbox"/> TRIPLET
3b. IF NOT SINGLE DELIVERY - BORN <input type="checkbox"/> 1st <input type="checkbox"/> 2nd <input type="checkbox"/> 3rd	4a. DATE OF DELIVERY (Month, Day, Year)
4b. HOUR	
PLACE OF DELIVERY 5a. RECORDING DISTRICT 5b. CITY, TOWN, OR LOCATION	
ALASKA	
5c. HOSPITAL - NAME (If not in hospital, give street and number)	5d. STREET AND NUMBER

**FATHER**

6a. FATHER - NAME FIRST MIDDLE LAST	6b. DATE OF BIRTH (Month, Day, Year)	6c. BIRTHPLACE (State or Foreign Country)
-------------------------------------	--------------------------------------	---

**MOTHER**

7a. MOTHER - MAIDEN NAME FIRST MIDDLE LAST	7b. DATE OF BIRTH (Month, Day, Year)	7c. BIRTHPLACE (State or Foreign Country)
--	--------------------------------------	---

8a. RESIDENCE - STATE	8b. RECORDING DISTRICT OR COUNTY
8c. CITY, TOWN, OR LOCATION	8d. INSIDE CITY LIMITS? <input type="checkbox"/> Yes <input type="checkbox"/> No
8e. STREET AND NUMBER	

**CAUSE**

9. Part I. FETAL DEATH WAS CAUSED BY: [ENTER ONLY ONE CAUSE PER LINE FOR (a.), (b.), AND (c.)] SPECIFY FETAL OR MATERNAL	
FETAL OR MATERNAL CONDITION DIRECTLY CAUSING FETAL DEATH	IMMEDIATE CAUSE (a) _____ DUE TO, OR AS A CONSEQUENCE OF.
FETAL AND/OR MATERNAL CONDITIONS, IF ANY, GIVING RISE TO THE IMMEDIATE CAUSE (a.), STATING THE UNDERLYING CAUSE LAST.	(b) _____ DUE TO, OR AS A CONSEQUENCE OF.
	(c) _____
Part II. OTHER SIGNIFICANT CONDITIONS OF FETUS OR MOTHER CONDITIONS CONTRIBUTING TO FETAL DEATH BUT NOT RELATED TO CAUSE GIVEN IN PART I (a.)	10. FETUS DIED <input type="checkbox"/> BEFORE LABOR <input type="checkbox"/> DURING LABOR <input type="checkbox"/> DURING DELIVERY <input type="checkbox"/> UNKNOWN
	11a. AUTOPSY? <input type="checkbox"/> Yes <input type="checkbox"/> No
	11b. IF YES, WERE THE FINDINGS CONSIDERED IN DETERMINING CAUSE OF DEATH? <input type="checkbox"/> Yes <input type="checkbox"/> No

**CERTIFIER/ ATTENDANT**

12a. I CERTIFY THAT THIS DELIVERY OCCURRED ON THE DATE STATED ABOVE AND THE FETUS WAS BORN DEAD	12b. DATE SIGNED (Month, Day, Year)	12c. CERTIFIER'S NAME AND TITLE (Type/Print) Name <input type="checkbox"/> M.D. <input type="checkbox"/> D.O. <input type="checkbox"/> Hospital Admin. <input type="checkbox"/> R.N. <input type="checkbox"/> C.N.M. <input type="checkbox"/> C.H.A./C.H.P. <input type="checkbox"/> Other Midwife <input type="checkbox"/> Other (Specify) _____
Signature		
13a. ATTENDANT'S NAME AND TITLE (If other than center) (Type/Print) Name <input type="checkbox"/> M.D. <input type="checkbox"/> D.O. <input type="checkbox"/> C.N.M. <input type="checkbox"/> C.H.A./C.H.P. <input type="checkbox"/> Other Midwife <input type="checkbox"/> Other (Specify) _____	13b. ATTENDANT'S MAILING ADDRESS (Street and Number or Rural Route Number, City or Town, State, and Zip Code)	
14a. RECORDER—SIGNATURE	14b. ADDRESS	14c. DATE RECORDED (Month, Day, Year)

### CONFIDENTIAL INFORMATION FOR MEDICAL AND HEALTH USE ONLY

**FATHER**

15. OF HISPANIC ORIGIN? (Specify No or Yes—if yes, specify Cuban, Mexican, Puerto Rican, etc.) 15a. <input type="checkbox"/> No <input type="checkbox"/> Yes Specify: _____	16. RACE—Filipino, Black, Eskimo, White, etc. (Specify below) 16a. _____	17. EDUCATION (Specify only highest grade completed) Elementary/Secondary (0-12)   College (1-4 or 5+) 17a. _____   _____ 17b. _____   _____
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**MOTHER**

18. PREGNANCY HISTORY (Complete each section)	19. MOTHER MARRIED? (At delivery, conception, or any time between) <input type="checkbox"/> Yes <input type="checkbox"/> No	20. DATE LAST NORMAL MENSES BEGAN (Month, Day, Year)
LIVE BIRTHS 18a. Now Living   18b. Now Dead Number _____   Number _____ <input type="checkbox"/> None <input type="checkbox"/> None	21. MONTH OF PREGNANCY PRENATAL CARE BEGAN—First, Second, Third, etc. (Specify)	22. PRENATAL VISITS—Total Number (If none, so state)
18c. DATE OF LAST LIVE BIRTH (Month, Year)	23a. WEIGHT OF FETUS (Specify unit)	23b. CLINICAL ESTIMATE OF GESTATION (Weeks)
18d. OTHER TERMINATIONS (Spontaneous and induced at any time after conception) Number _____ <input type="checkbox"/> None		
18e. DATE OF LAST OTHER TERMINATION (Month, Year)		
18f. TOTAL PRIOR PREGNANCIES None <input type="checkbox"/> Number _____		

24a. MEDICAL CONDITIONS AFFECTING THIS PREGNANCY (Check all that apply)	25. OBSTETRIC PROCEDURES (Check all that apply)	26. CONGENITAL ANOMALIES OF FETUS (Check all that apply)
Anemia (Hct. < 30/Hgb. < 10) 01 <input type="checkbox"/>	Amniocentesis 01 <input type="checkbox"/>	Anencephalus 01 <input type="checkbox"/>
Cardiac disease 02 <input type="checkbox"/>	Electronic fetal monitoring 02 <input type="checkbox"/>	Spina bifida/Meningocele 02 <input type="checkbox"/>
Acute or chronic lung disease 03 <input type="checkbox"/>	Induction of labor 03 <input type="checkbox"/>	Hydrocephalus 03 <input type="checkbox"/>
Diabetes 04 <input type="checkbox"/>	Stimulation of labor 04 <input type="checkbox"/>	Microcephalus 04 <input type="checkbox"/>
Gestational 05 <input type="checkbox"/>	Tocytosis 05 <input type="checkbox"/>	Other central nervous system anomalies (Specify) _____ 05 <input type="checkbox"/>
Genital herpes 06 <input type="checkbox"/>	Ultrasound 06 <input type="checkbox"/>	Heart malformations 06 <input type="checkbox"/>
Hydramnios/Oligohydramnios 07 <input type="checkbox"/>	None 00 <input type="checkbox"/>	Other circulatory/respiratory anomalies _____
	Other (Specify) _____ 07 <input type="checkbox"/>	

**BILL ANALYSIS****STATE OF ALASKA  
2006 LEGISLATIVE SESSION  
ANALYSIS CONTINUATION****BILL NO. HB 159****BACKGROUND/LEGISLATIVE INTENT (Continued from Page 1)**

Under current law, BVS issues birth and death certificates - including certificates of fetal death. The bill adds another category of certificate to the BVS statutes.

**ANALYSIS / PROGRAM EFFECTS (Continued from Page 1)**

groups sometimes question the legislation - not because of its intent but because of potential constitutional-rights issues involving the life of the fetus. It is unknown whether such concerns will be raised in Alaska.

An average of 50 stillbirths are recorded annually in Alaska. Based on experiences in other states, it is expected that most families will request a certificate of stillbirth if this bill becomes law. HB159 would require BVS to set up a new administrative process to handle such requests, but the overall impact on the Bureau is expected to be minimal. BVS will explore the possibility of issuing a commemorative-type certificate for stillbirths, similar to an heirloom birth certificate.

Because the bill is based on a national model and includes language not necessary in Alaska, BVS is proposing two minor amendments.

**AMENDMENTS PROPOSED (Continued from Page 1)**

Page 2, line 14: Amend Section (g) to read, "Any parent may request that the Bureau prepare and issue a certificate of birth resulting in a stillbirth without regard to whether the fetal death occurred on, before, or after the effective date of this act." Section (g) of the bill as drafted apparently is intended to allow parents - if this bill becomes law - to retroactively request a stillbirth certificate. This proposed amendment avoids potential administrative hurdles for parents who first would have to request a "delayed" fetal death certificate; the amendment would give BVS clearer authority to issue the stillbirth certificate regardless of when the event occurred.

**BILL ANALYSIS**

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*Amendment words*

*Amendment 1*  
*J*  
*CS*

*Gardner legal opinion*

## Stillbirth Rates (1995 - 1999)

Per 1,000 Live Births

<u>State</u>	<u>1999</u>	<u>1998</u>	<u>1997</u>	<u>1996</u>	<u>1995</u>
Alabama		9.5	8.6	9.3	9.5
Alaska			(1994 - 1998 4.1)		
Arizona	7.5	7.7	8.4	6.4	6.9
Arkansas		6.3	7.7	8.1	7.3
California	5.4				
Colorado		6.3	6.9		
Connecticut		6.8	6.1	6.4	
Delaware (e)					
Florida	8.0	7.8	7.9	7.8	8.1
Georgia				(1994 - 1996 9.5)	
Hawaii		5.3			
Idaho		5.9			
Illinois	7.0	6.8	6.5	7.1	6.9
Indiana		6.5	7.1	7.7	7.6
Iowa	5.9				
Kansas		5.2			
Kentucky		6.3	6.6		
Louisiana		7.5	7.5	8.0	7.4
Maine (e)					3.5
Maryland			6.8		
Massachusetts (e)					
Michigan		6.2	5.9	5.7	5.7
Minnesota	6.2	6.0	5.6		
Mississippi	10.3	9.9	12.7	11.0	11.4
Missouri		6.0	(1989 - 1998 6.2)		
Montana	5.8	7.0	4.5	5.4	6.0
Nebraska		(1995 - 1999 5.9)			
Nevada (e)					
New Hampshire			6.8		
New Jersey			6.5	6.6	6.5
New Mexico			3.8		
New York			8.7		
North Carolina					
North Dakota		6.2	(1994 - 1997 6.0)		
Ohio		6.7	6.8	6.9	7.3
Oklahoma		6.6	6.5	6.7	7.4
Oregon			5.4	5.8	5.5
Pennsylvania		14.8	13.8	14.1	15.4
Rhode Island (e)					
South Carolina (e)					
South Dakota		3.1	4.0		
Tennessee		5.0	5.2	5.6	5.3
Texas	6.0	5.8	5.9	5.9	6.3
Utah	4.6	4.5	4.9	5.8	5.7

<u>State</u>	<u>1999</u>	<u>1998</u>	<u>1997</u>	<u>1996</u>	<u>1995</u>
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Vermont	4.4	3.2	4.2	4.1	3.5
Virginia	4.8	4.9	4.9	5.0	4.9
Washington		5.9	5.8	5.9	5.4
West Virginia		6.0	6.7	6.3	6.8
Wisconsin		5.9			
Wyoming		3.8	4.2	7.6	5.4
US Totals			6.8	6.9	7.0
Canada Totals			6.1	5.8	