

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

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# HOUSE BILL

## No. 1031

Session of  
2005

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INTRODUCED BY STURLA, BISHOP, BARRAR, BELFANTI, CALTAGIRONE,  
DeLUCA, DeWEESE, GOODMAN, GRUCELA, HARHAI, HARRIS, HENNESSEY,  
HERMAN, HERSHEY, HESS, HICKERNELL, JAMES, JOSEPHS, KIRKLAND,  
KOTIK, LaGROTTA, MANN, MICOZZIE, MUNDY, NAILOR, PETRARCA,  
PRESTON, REICHLEY, SOLOBAY, STABACK, THOMAS, TIGUE, TRUE,  
WALKO, WASHINGTON, WATSON, YOUNGBLOOD, DENLINGER, PALLONE,  
TANGRETTI AND MAHER, MARCH 21, 2005

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AS REPORTED FROM COMMITTEE ON STATE GOVERNMENT, HOUSE OF  
REPRESENTATIVES, AS AMENDED, JUNE 22, 2005

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## AN ACT

1 Amending the act of June 29, 1953 (P.L.304, No.66), entitled "An  
2 act providing for the administration of a statewide system of  
3 vital statistics; prescribing the functions of the State  
4 Department of Health, the State Advisory Health Board and  
5 local registrars; imposing duties upon coroners,  
6 prothonotaries, clerks of orphans' court, physicians,  
7 midwives and other persons; requiring reports and  
8 certificates for the registration of vital statistics;  
9 regulating the disposition of dead bodies; limiting the  
10 disclosure of records; prescribing the sufficiency of vital  
11 statistics records as evidence; prescribing fees and  
12 penalties; and revising and consolidating the laws relating  
13 thereto," providing for certificate of ~~birth resulting in~~ <—  
14 stillbirth.

15 The General Assembly of the Commonwealth of Pennsylvania  
16 hereby enacts as follows:

17 Section 1. The act of June 29, 1953 (P.L.304, No.66), known  
18 as the Vital Statistics Law of 1953, is amended by adding a  
19 section to read:

20 ~~Section 401.1. Certificate of Birth Resulting in Stillbirth;~~ <—  
21 ~~Requirements. (a) The department shall establish a certificate~~

~~of birth resulting in stillbirth for each fetal death occurring in this Commonwealth after a gestational period of at least twenty (20) weeks. This certificate shall be offered to the parent or parents of a stillborn child.~~

~~(b) Upon application therefor and payment of a fee of two dollars (\$2), the department shall issue a certificate of birth resulting in stillbirth to a parent of a stillborn child. The certificate of birth resulting in stillbirth shall meet all of the format and filing requirements of this act, relating to a live birth.~~

~~(c) The person who prepares a certificate pursuant to this section shall leave blank any references to the stillborn child's name if the stillborn child's parent or parents do not wish to provide a name for the stillborn child.~~

~~(d) The certificate of birth resulting in stillbirth shall be filed with the designated registrar within three (3) days following the delivery and prior to cremation or removal of the fetus from the registration district.~~

~~(e) When a birth resulting in stillbirth occurring in this Commonwealth has not been registered after the date of delivery, a certificate marked "Delayed" may be filed and registered in accordance with regulations of the department relating to evidentiary and other requirements sufficient to substantiate the alleged facts of birth resulting in stillbirth.~~

~~SECTION 801.2. CERTIFICATE OF STILLBIRTH.--UPON REQUEST FROM THE MOTHER OR FATHER, A CERTIFICATE OF STILLBIRTH SHALL BE ISSUED BY THE DEPARTMENT IN LIEU OF A CERTIFICATE OF FETAL DEATH FOR ANY FETAL DEATH PREVIOUSLY FILED WITH THE DEPARTMENT. THE FEE FOR ISSUANCE WILL BE THE SAME AS THE FEE FOR A DEATH CERTIFICATE. THE MOTHER OR FATHER MAY, BUT SHALL NOT BE REQUIRED~~

1 TO, PROVIDE THE NAME OF THE STILLBORN CHILD ON THE CERTIFICATE  
2 OF STILLBIRTH.

3       Section 2. This act shall take effect in 60 days.