

# SENATE BILL REPORT

## HB 1031

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As Reported by Senate Committee On:  
Health & Long Term Care, March 19, 2021

**Title:** An act relating to the government issuance of a certificate of birth resulting in stillbirth.

**Brief Description:** Concerning the government issuance of a certificate of birth resulting in stillbirth.

**Sponsors:** Representatives Walen, Valdez, Leavitt, Ortiz-Self, Springer, Stonier and Santos.

**Brief History:** Passed House: 2/25/21, 85-13.

**Committee Activity:** Health & Long Term Care: 3/10/21, 3/19/21 [DP, w/oRec].

### Brief Summary of Bill

- Allows a person who gave birth resulting in a stillbirth to request and receive a certificate of birth resulting in stillbirth from the state or local registrar.

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### SENATE COMMITTEE ON HEALTH & LONG TERM CARE

**Majority Report:** Do pass.

Signed by Senators Cleveland, Chair; Frockt, Vice Chair; Muzzall, Ranking Member; Conway, Holy, Keiser, Padden, Randall, Rivers, Robinson and Wilson, J.

**Minority Report:** That it be referred without recommendation.

Signed by Senator Van De Wege.

**Staff:** Ricci Crinzi (786-7253)

**Background:** The Department of Health and the auditor's office of each county collect reports of all vital life events in the state, including births, deaths, and fetal deaths, when those events occur.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.*

The state or local registrar may issue a report of a fetal death as a certification of fetal death upon application by:

- a parent, a parent's legal representative, an authorized representative, a sibling, or a grandparent;
- the funeral director or establishment named on the fetal death record, within 12 months of the date of fetal death; or
- a government agency or court, if the certification will be used in the conduct of the agency's or court's official duties.

A fetal death is any product of conception that:

- shows no evidence of life, such as breathing, heart beat, pulsation of the umbilical cord, or definite movement of voluntary muscles after complete expulsion or extraction from the individual who gave birth;
- is not an induced termination of pregnancy; and
- has completed 20 or more weeks of gestation, or weighs 350 grams or more, if weeks of gestation are not known.

**Summary of Bill:** The state or local registrar may issue reports of fetal death as a certification of a fetal death, a certification of birth resulting in a stillbirth, or both. When issuing a certification of birth resulting in stillbirth, the state or local registrar may release the certification only to the individual who gave birth listed on the fetal death record.

A certification of birth resulting in stillbirth must:

- comply with the state registrar's format requirements;
- be in a format similar to a certification of birth; and
- contain a title at the top of the certification that reads, "This certificate of birth resulting in stillbirth is not proof of a live birth and is not an identity document."

Stillbirth has the same meaning as fetal death.

**Appropriation:** None.

**Fiscal Note:** Available.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** The bill contains several effective dates. Please refer to the bill.

**Staff Summary of Public Testimony:** PRO: Having a stillborn child can lead to depression and PTSD for women and family members. This bill is a small act that can make a big difference for a parent of a stillborn child. A certificate of stillbirth would help make parent's feel like their baby was acknowledged and that their baby's life mattered. This bill does not change the current statute, it just allows women to get a certificate if they

want. Many other states offer this certificate. This certificate provides formal acknowledgment that the birth occurred.

**Persons Testifying:** PRO: Bill Stauffacher; Shakima Tozay, FFSC; Terrell Hatzilias; Lisa Proehl; Carolyn Logue, BeliEve Foundation; Randi Abrams-Caras.

**Persons Signed In To Testify But Not Testifying:** No one.