

HOUSE BILL REPORT

HB 1031

As Passed Legislature

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:

Committee Activity:

Health Care & Wellness: 1/13/21, 1/14/21 [DP].

Floor Activity:

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

Passed Senate: 4/6/21, 49-0.

Passed Legislature.

Brief Summary of Bill

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

HOUSE COMMITTEE ON HEALTH CARE & WELLNESS

Majority Report: Do pass. Signed by 15 members: Representatives Cody, Chair; Bateman, Vice Chair; Schmick, Ranking Minority Member; Caldier, Assistant Ranking Minority Member; Bronoske, Davis, Harris, Macri, Maycumber, Riccelli, Rude, Simmons, Stonier, Tharinger and Ybarra.

Staff: Corey Patton (786-7388).

Background:

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 Department of Health (DOH) 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.

The state or local registrar may issue reports 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, beating of the heart, 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. Only the person who gave birth to a stillborn fetus, as listed on the fetal death record, may apply for and receive a certification of birth resulting in stillbirth.

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.

Effective Date: This bill takes effect 90 days after adjournment of the session in which the bill is passed, except for section 2, relating to authorizing the issuance of certificates of birth resulting in a stillbirth, which takes effect October 1, 2022.

Staff Summary of Public Testimony:

(In support) This bill provides relief to bereaved mothers and families who have experienced a stillbirth. Recent studies indicate that rates of stillbirth have nearly quadrupled during the pandemic. The Centers for Disease Control and Prevention reports that black women are two to three times more likely to experience a stillbirth than other women. Forty percent of women who experience stillbirth go on to develop post-traumatic stress disorder, and 30 percent go on to develop major depressive disorder. This crisis can be helped by a simple acknowledgement. Over 40 other states issue some form of a certificate of birth resulting in stillbirth. A certificate of birth resulting in stillbirth will give recipients a sense of dignity, validate their experiences, demonstrate communal support, and acknowledge the need for help in the aftermath of a traumatic event.

(Opposed) None.

Persons Testifying: Representative Walen, prime sponsor; Terrell Hatzilias; Kima Tozay; and Lisa Proehl.

Persons Signed In To Testify But Not Testifying: None.