

SENATE BILL REPORT

SB 5501

As Reported by Senate Committee On:
Health & Long Term Care, February 16, 2023

Title: An act relating to establishing a public education program to reduce the incidence of stillbirth using a platform for recording and tracking fetal movements.

Brief Description: Establishing a public education program to reduce the incidence of stillbirth using a platform for recording and tracking fetal movements.

Sponsors: Senators Keiser, Randall, Saldaña and Wilson, C..

Brief History:

Committee Activity: Health & Long Term Care: 2/07/23, 2/16/23 [DP-WM].

Brief Summary of Bill

- Requires the Health Care Authority to establish a Washington State Count the Kicks Program within the current Maternity Care Access program that focuses on preventing stillbirths and adopt a platform for recording and tracking fetal movements by December 31, 2023.
- Directs the Department of Health to design, prepare, and make available online, written materials to inform health care providers and staff about evidence-based research and practices that reduce the incidence of stillbirth, which must include information relating to tracking and awareness of fetal movements by December 31, 2023.

SENATE COMMITTEE ON HEALTH & LONG TERM CARE

Majority Report: Do pass and be referred to Committee on Ways & Means.

Signed by Senators Cleveland, Chair; Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Conway, Dhingra, Holy, Padden, Randall and Van De Wege.

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.

Staff: Julie Tran (786-7283)

Background: Stillbirths. A stillbirth is the death or loss of a baby before or during delivery. Both miscarriage and stillbirth describe pregnancy loss, but they differ according to when the loss occurs. In the United States, a miscarriage is usually defined as loss of a baby before the 20th week of pregnancy, and a stillbirth is loss of a baby after 20 weeks of pregnancy. Stillbirth is further classified as either early, late, or term as follows:

- an early stillbirth is a fetal death occurring between 20 and 27 completed weeks of pregnancy;
- a late stillbirth occurs between 28 and 36 completed pregnancy weeks; and
- a term stillbirth occurs between 37 or more completed pregnancy weeks.

Stillbirth affects about 1 in 175 births, and each year about 21,000 babies are stillborn in the United States. For 2020, the Department of Health (DOH) reported 462 fetal deaths, which occurs when the gestational period is 20 or more weeks and the fetus does not show any signs of life.

Maternity Care Access Program. The Health Care Authority (HCA) administers the Medicaid program, which is a state-federal program that pays for health care for low-income state residents who meet certain eligibility criteria. Washington's Medicaid program is known as Apple Health, and offers a complete medical benefits package to eligible families, children under age 19, low-income adults, certain individuals with disabilities, and pregnant individuals. A program available to Apple Health enrollees is the Maternity Care Access Program, administered by HCA as the First Steps program. Program services include full medical coverage, including prenatal care, delivery, post pregnancy follow-up, and one year of family planning services and medical care for newborns.

Count the Kicks Program. In 2008, Count the Kicks program—national program—was created as an evidence-based public health awareness campaign focusing on stillbirth prevention. The program includes providing free educational posters and brochure materials for maternal health providers to hand out to every pregnant mom and a kick counting app, which records how long it takes for the baby to get to ten movements, tracks changes over time, and has daily reminders to count. The program has agencies and organization partners in many states throughout the United States .

Summary of Bill: The Washington State Count the Kicks program is created as a public education program focusing on reducing the incidence of stillbirth and will be incorporated into the state's Maternity Care Access program. HCA is directed to adopt a platform for recording and tracking fetal movements, and encouraging monitoring practices for awareness of fetal movements using the existing national Count the Kicks program framework as a model.

DOH must design and prepare written materials that inform health care providers and staff

of the evidence-based research and practices to reduce the incidence of stillbirth. The materials must:

- include information relating to the monitoring and tracking of fetal movements;
- be developed in collaboration with relevant interested parties; and
- use applicable materials from other programs, including, but not limited to, the national count the kicks program.

The online written materials must be available by December 31, 2023.

This act may be known and cited as the Count The Kicks act.

Appropriation: None.

Fiscal Note: Available.

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

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: Maternal health and protecting vulnerable pregnant woman needs to remain a priority. This program is a modest change that could have great outcomes. It's simply taking control of your own body so action can be taken if something goes wrong. The count the kicks program is a noninvasive and easy way to bond with your baby. This app helps with providers listening to women of color, so the women are listened to and taken seriously. This program could be life-changing.

Persons Testifying: PRO: Senator Karen Keiser, Prime Sponsor; Anthony Woods, Amerigroup Washington; Emily Price; Randi Abrams-Caras.

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