Washington State
House of Representatives
Office of Program Research

BILL ANALYSIS

Health Care & Wellness Committee

SB 6025

Brief Description: Updating the definition of fetal death.

Sponsors: Senators Cleveland, Robinson, Nobles and Wilson, C..

Brief Summary of Bill

- Modifies the vital statistics definition of fetal death by changing how gestational age may be calculated.

Hearing Date: 2/18/26

Staff: Alison Ryan (786-7296).

Background:

The Department of Health collects and stores reports of specific vital life events in the state. These vital life events include births, deaths, fetal deaths, marriages, marriage and domestic partnership dissolutions, marriage and domestic partnership annulments, and legal separations. The Secretary of Health is in charge of the state vital records system and must appoint a state registrar of vital statistics that is responsible for the system's operation. Under the direction and control of the state registrar, the local health officer of each health jurisdiction is a local registrar.

For each report of death or fetal death in the state, a report must be filed with the local registrar in the local health jurisdiction where the death occurred. The report must be filed within five calendar days after the death, fetal death, or finding of remains and before final disposition of the remains. A local registrar must review filed reports of deaths and fetal deaths to ensure the records are complete, request missing information or corrections, and ensure issuance of a burial-transit permit. If a report of death or fetal death is completed and filed in accordance with the requirements, the local registrar must register the death or fetal death with the Department of

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Health. A person may not provide for final disposition of human remains until the report of death or fetal death has been registered and a burial-transmit permit has been obtained.

The state or local registrar may issue reports of a fetal death as a certification of fetal death upon application by: (1) a parent, a parent's legal representative, an authorized representative, a sibling, or a grandparent; (2) the funeral director or funeral establishment named on the fetal death record, within 12 months of the date of fetal death; or (3) a government agency or court, if the certification will be used in the conduct of the agency's or court's official duties. The state or local registrar may also issue reports of a fetal death as a certification of birth resulting in stillbirth. Only the person who gave birth resulting in a stillbirth, as listed on the fetal death record, may apply for and receive a certification of birth resulting in stillbirth. Stillbirth has the same meaning as fetal death.

For purposes of vital records, fetal death means 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 that is not an induced termination of pregnancy and:

- has completed 20 or more weeks of gestation as calculated from the date the last menstrual period of the individual who gave birth began, to the date of expulsion or extraction; or
- weighs 350 grams or more, if weeks of gestation are not known.

Summary of Bill:

For purposes of vital records, fetal death means 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 that is not an induced termination of pregnancy and:

- has completed 20 or more weeks of gestation at the date of death based on the best clinically accurate gestational age; or
- weighs 350 grams or more, if weeks of gestation are not known.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill contains multiple effective dates. Please see the bill.