SENATE BILL REPORT
SB 6025

As Passed Senate, February 10, 2026

Title: An act relating to updating the definition of fetal death to ensure the calculation of gestational age is based on objective and clinically accurate criteria.

Brief Description: Updating the definition of fetal death.

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

Brief History:
Committee Activity: Health & Long-Term Care: 1/16/26, 1/20/26 [DP, w/oRec].
Floor Activity: Passed Senate: 2/10/26, 48-0.

Brief Summary of Bill

- Modifies the definition of fetal death to allow gestational age to be determined using the best available information.

SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

Majority Report: Do pass.
Signed by Senators Cleveland, Chair; Orwall, Vice Chair; Slatter, Vice Chair; Muzzall, Ranking Member; Bateman, Chapman, Harris, Riccelli and Robinson.

Minority Report: That it be referred without recommendation.
Signed by Senators Christian and Holy.

Staff: Greg Attanasio (786-7410)

Background: For each death or fetal death in Washington, a complete report of death or fetal death must be filed with the local registrar in the local health jurisdiction where the death occurred. The report must be filed within five days after the death or fetal death or finding the remains and before final disposition of the human remains. If a report of death

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or fetal death is completed and filed in accordance with the requirements, the local registrar must issue a burial-transit permit or disinterment permit. 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 funeral director, funeral establishment, or person having the right to control the disposition of remains must deliver the burial-transit permit to the person in charge of the funeral establishment, crematory, or cemetery, or attach the permit to the container holding the remains when shipped by transportation company. A person may not bring into, or transport within, Washington; inter, deposit in a vault, grave, or tomb; or cremate or otherwise dispose of the human remains of any person whose death occurred outside this state, unless the human remains are accompanied by a burial-transit permit or other document issued in accordance with the laws in force where the death occurred.

A local registrar must review filed reports of death or fetal death to ensure they are complete, request missing information or corrections, ensure issuance of the burial-transit permit, and register a report of death with the Department of Health if it has been completed and submitted as required.

For the 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 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: The definition of fetal death is modified to mean 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.

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: This bill represents a technical change to allow providers to use the best available information to determine gestational age. Ultrasounds are more accurate than calculating using the last menstrual period. Current law forces providers to choose between following the law and providing accurate information on death reports.

Persons Testifying: PRO: Senator Annette Cleveland, Prime Sponsor; Judy Kimmelman MD, ACOG; Rachel Johnson CNM, ARNP; Vivienne Meljen, MD, WA State Medical Association (WSMA).

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