CERTIFICATION OF ENROLLMENT

SENATE BILL 6025

69th Legislature
2026 Regular Session

Passed by the Senate February 10, 2026
Yeas 48 Nays 0

President of the Senate

Passed by the House March 3, 2026
Yeas 91 Nays 2

Speaker of the House of Representatives

Approved

Governor of the State of Washington

CERTIFICATE

I, Sarah Bannister, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 6025** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

Secretary of State
State of Washington

SENATE BILL 6025

Passed Legislature - 2026 Regular Session

State of Washington 69th Legislature 2026 Regular Session

By Senators Cleveland, Robinson, Nobles, and C. Wilson

Prefiled 01/07/26. Read first time 01/12/26. Referred to Committee on Health & Long-Term Care.

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; amending RCW 70.58A.010 and 70.58A.010; providing an effective date; and providing an expiration date.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

Sec. 1. RCW 70.58A.010 and 2020 c 312 s 729 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Adult" means a person who is at least eighteen years of age, or an emancipated minor under chapter 13.64 RCW.

(2) "Amendment" means a change to a certification item on the vital record.

(3) "Authorized representative" means a person permitted to receive a certification who is:

(a) Identified in a notarized statement signed by a qualified applicant; or

(b) An agent identified in a power of attorney as defined in chapter 11.125 RCW.

(4) "Certification" means the document, in either paper or electronic format, containing all or part of the information

contained in the original vital record from which the document is derived, and is issued from the central vital records system. A certification includes an attestation by the state or local registrar to the accuracy of information, and has the full force and effect of the original vital record.

(5) "Certification item" means any item of information that appears on certifications.

(6) "Coroner" means the person elected or appointed in a county under chapter 36.16 RCW to serve as the county coroner and fulfill the responsibilities established under chapter 36.24 RCW.

(7) "Cremated remains" has the same meaning as "cremated human remains" in chapter 68.04 RCW.

(8) "Delayed report of live birth" means the report submitted to the department for the purpose of registering the live birth of a person born in state that was not registered within one year of the date of live birth.

(9) "Department" means the department of health.

(10) "Domestic partner" means a party to a state registered domestic partnership established under chapter 26.60 RCW.

(11) "Facility" means any licensed establishment, public or private, located in state, which provides inpatient or outpatient medical, surgical, or diagnostic care or treatment; or nursing, custodial, or domiciliary care. The term also includes establishments to which persons are committed by law including, but not limited to:

(a) Mental illness detention facilities designated to assess, diagnose, and treat individuals detained or committed, under chapter 71.05 RCW;

(b) City and county jails;

(c) State department of corrections facilities; and

(d) Juvenile correction centers governed by Title 72 RCW.

(12) "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:

(a) Has completed twenty 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~~)) at the date of death based on the best clinically accurate gestational age; or

(b) Weighs three hundred fifty grams or more, if weeks of gestation are not known.

(13) "Final disposition" means the burial, interment, entombment, cremation, removal from the state, or other manner of disposing of human remains as authorized under chapter 68.50 RCW.

(14) "Funeral director" means a person licensed under chapter 18.39 RCW as a funeral director.

(15) "Funeral establishment" means a place of business licensed under chapter 18.39 RCW as a funeral establishment.

(16) "Government agencies" include state boards, commissions, committees, departments, educational institutions, or other state agencies which are created by or pursuant to statute, other than courts and the legislature; county or city agencies, United States federal agencies, and federally recognized tribes and tribal organizations.

(17) "Human remains" means the body of a deceased person, includes the body in any stage of decomposition, and includes cremated human remains, but does not include human remains that are or were at any time under the jurisdiction of the state physical anthropologist under chapter 27.44 RCW.

(18) "Individual" means a natural person.

(19) "Induced termination of pregnancy" means the purposeful interruption of an intrauterine pregnancy with an intention other than to produce a live-born infant, and which does not result in a live birth.

(20) "Informational copy" means a birth or death record issued from the central vital records system, containing all or part of the information contained in the original vital record from which the document is derived, and indicating it cannot be used for legal purposes on its face.

(21) "Legal guardian" means a person who serves as a guardian for the purpose of either legal or custodial matters, or both, relating to the person for whom the guardian is appointed. The term legal guardian includes, but is not limited to, guardians appointed pursuant to chapters 11.130 and 13.36 RCW.

(22) "Legal representative" means a licensed attorney representing either the subject of the record or qualified applicant.

(23) "Live birth" means the complete expulsion or extraction of a product of human conception from the individual who gave birth, irrespective of the duration of pregnancy, which, after such

expulsion or extraction, breathes or shows any other evidence of life, such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles.

(24) "Local health officer" has the same meaning as in chapter 70.05 RCW.

(25) "Medical certifier" for a death or fetal death means an individual required to attest to the cause of death information provided on a report of death or fetal death. Each individual certifying cause of death or fetal death may certify cause of death only as permitted by that individual's professional scope of practice. These individuals include:

(a) A physician, physician's assistant, or an advanced registered nurse practitioner last in attendance at death or who treated the decedent through examination, medical advice, or medications within the twelve months preceding the death;

(b) A midwife, only in cases of fetal death; and

(c) A physician performing an autopsy, when the decedent was not treated within the last twelve months and the person died a natural death.

(26) "Medical examiner" means the person appointed under chapter 36.24 RCW to fulfill the responsibilities established under chapter 36.24 RCW.

(27) "Midwife" means a person licensed to practice midwifery pursuant to chapter 18.50 RCW.

(28) "Physician" means a person licensed to practice medicine, naturopathy, or osteopathy pursuant to Title 18 RCW.

(29) "Registration" or "register" means the process by which a report is approved and incorporated as a vital record into the vital records system.

(30) "Registration date" means the month, day, and year a report is incorporated into the vital records system.

(31) "Report" means an electronic or paper document containing information related to a vital life event for the purpose of registering the vital life event.

(32) "Sealed record" means the original record of a vital life event and the evidence submitted to support a change to the original record.

(33) "Secretary" means the secretary of the department of health.

(34) "State" means Washington state unless otherwise specified.

(35) "State registrar" means the person appointed by the secretary to administer the vital records system under RCW 70.58A.030.

(36) "Territory of the United States" means American Samoa, the Commonwealth of the Northern Mariana Islands, the Commonwealth of Puerto Rico, Guam, and the United States Virgin Islands.

(37) "Vital life event" means a birth, death, fetal death, marriage, dissolution of marriage, dissolution of domestic partnership, declaration of invalidity of marriage, declaration of invalidity of domestic partnership, and legal separation.

(38) "Vital record" or "record" means a report of a vital life event that has been registered and supporting documentation.

(39) "Vital records system" means the statewide system created, operated, and maintained by the department under this chapter.

(40) "Vital statistics" means the aggregated data derived from vital records, including related reports, and supporting documentation.

Sec. 2. RCW 70.58A.010 and 2025 c 58 s 5138 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Adult" means a person who is at least eighteen years of age, or an emancipated minor under chapter 13.64 RCW.

(2) "Amendment" means a change to a certification item on the vital record.

(3) "Authorized representative" means a person permitted to receive a certification who is:

(a) Identified in a notarized statement signed by a qualified applicant; or

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(4) "Certification" means the document, in either paper or electronic format, containing all or part of the information contained in the original vital record from which the document is derived, and is issued from the central vital records system. A certification includes an attestation by the state or local registrar to the accuracy of information, and has the full force and effect of the original vital record.

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(6) "Coroner" means the person elected or appointed in a county under chapter 36.16 RCW to serve as the county coroner and fulfill the responsibilities established under chapter 36.24 RCW.

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(8) "Delayed report of live birth" means the report submitted to the department for the purpose of registering the live birth of a person born in state that was not registered within one year of the date of live birth.

(9) "Department" means the department of health.

(10) "Domestic partner" means a party to a state registered domestic partnership established under chapter 26.60 RCW.

(11) "Facility" means any licensed establishment, public or private, located in state, which provides inpatient or outpatient medical, surgical, or diagnostic care or treatment; or nursing, custodial, or domiciliary care. The term also includes establishments to which persons are committed by law including, but not limited to:

(a) Mental illness detention facilities designated to assess, diagnose, and treat individuals detained or committed, under chapter 71.05 RCW;

(b) City and county jails;

(c) State department of corrections facilities; and

(d) Juvenile correction centers governed by Title 72 RCW.

(12) "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:

(a) Has completed twenty 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~~)) at the date of death based on the best clinically accurate gestational age; or

(b) Weighs three hundred fifty grams or more, if weeks of gestation are not known.

(13) "Final disposition" means the burial, interment, entombment, cremation, removal from the state, or other manner of disposing of human remains as authorized under chapter 68.50 RCW.

(14) "Funeral director" means a person licensed under chapter 18.39 RCW as a funeral director.

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(18) "Individual" means a natural person.

(19) "Induced termination of pregnancy" means the purposeful interruption of an intrauterine pregnancy with an intention other than to produce a live-born infant, and which does not result in a live birth.

(20) "Informational copy" means a birth or death record issued from the central vital records system, containing all or part of the information contained in the original vital record from which the document is derived, and indicating it cannot be used for legal purposes on its face.

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(23) "Live birth" means the complete expulsion or extraction of a product of human conception from the individual who gave birth, irrespective of the duration of pregnancy, which, after such expulsion or extraction, breathes or shows any other evidence of life, such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles.

(24) "Local health officer" has the same meaning as in chapter 70.05 RCW.

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(a) A physician, physician's assistant, or an advanced practice registered nurse last in attendance at death or who treated the decedent through examination, medical advice, or medications within the twelve months preceding the death;

(b) A midwife, only in cases of fetal death; and

(c) A physician performing an autopsy, when the decedent was not treated within the last twelve months and the person died a natural death.

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(29) "Registration" or "register" means the process by which a report is approved and incorporated as a vital record into the vital records system.

(30) "Registration date" means the month, day, and year a report is incorporated into the vital records system.

(31) "Report" means an electronic or paper document containing information related to a vital life event for the purpose of registering the vital life event.

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(38) "Vital record" or "record" means a report of a vital life event that has been registered and supporting documentation.

(39) "Vital records system" means the statewide system created, operated, and maintained by the department under this chapter.

(40) "Vital statistics" means the aggregated data derived from vital records, including related reports, and supporting documentation.

NEW SECTION. **Sec. 3.** Section 1 of this act expires June 30, 2027.

NEW SECTION. **Sec. 4.** Section 2 of this act takes effect June 30, 2027.

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