

House File 2368

AN ACT

PROVIDING FOR THE ISSUANCE OF A CERTIFICATE OF BIRTH RESULTING
IN STILLBIRTH, PROVIDING FOR A FEE, AND INCLUDING EFFECTIVE
DATE PROVISIONS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. NEW SECTION. 144.31A Certificate of birth
resulting in stillbirth.

1. As used in this section:

a. "Certificate of birth resulting in stillbirth" means a document issued based upon a properly filed fetal death certificate to record the birth of a stillborn fetus.

b. "Stillbirth" means stillbirth as defined in section 136A.2.

2. After each fetal death that occurs in the state which is also a stillbirth, the person required to file the fetal death certificate pursuant to section 144.30 shall advise any parent named on the fetal death certificate that the parent may request the preparation of a certificate of birth resulting in stillbirth following registration of a fetal death certificate.

3. The department may prescribe by rules adopted pursuant to chapter 17A the form and content of a request and the process for requesting a certificate of birth resulting in stillbirth.

4. The department shall prescribe by rules adopted pursuant to chapter 17A the form and content of and the fee for the preparation of a certificate of birth resulting in stillbirth.

a. At a minimum, the rules shall require that the certificate of birth resulting in stillbirth contain all of the following:

(1) The date of the stillbirth.

(2) The county in which the stillbirth occurred.

(3) A first name, middle name, last name, no name, or combination of these as requested by the parent.

(4) The state file number of the corresponding fetal death certificate.

(5) The statement: "This certificate is not proof of live birth."

b. The fees collected shall be remitted to the treasurer of state for deposit in the general fund of the state and the vital records fund in accordance with section 144.46.

5. Only a parent named on the fetal death certificate may request a certificate of birth resulting in stillbirth. A certificate of birth resulting in stillbirth may be requested and issued at any time regardless of the date on which the fetal death certificate was issued.

6. A certificate of birth resulting in stillbirth is not required to be filed or registered.

7. A certificate of birth resulting in stillbirth shall not be used to establish, bring, or support a civil cause of action seeking damages against any person for bodily injury, personal injury, or wrongful death for a stillbirth.

Sec. 2. EFFECTIVE UPON ENACTMENT. This Act, being deemed of immediate importance, takes effect upon enactment.

KRAIG PAULSEN
Speaker of the House

JOHN P. KIBBIE
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2368, Eighty-fourth General Assembly.

W. CHARLES SMITHSON
Chief Clerk of the House

Approved _____, 2012

TERRY E. BRANSTAD
Governor