

State of Arkansas  
91st General Assembly  
Regular Session, 2017

# A Bill

HOUSE BILL 1185

By: Representative D. Meeks

By: Senator Rapert

## For An Act To Be Entitled

AN ACT TO AMEND THE LAWS CONCERNING A FETAL DEATH  
CERTIFICATE AND REGISTRATION OF TERMINATION OF  
PREGNANCY; TO AMEND THE LAW CONCERNING A CERTIFICATE  
OF BIRTH RESULTING IN STILLBIRTH; AND FOR OTHER  
PURPOSES.

## Subtitle

TO AMEND THE LAWS CONCERNING A FETAL  
DEATH CERTIFICATE AND REGISTRATION OF  
TERMINATION OF PREGNANCY; AND TO AMEND  
THE LAW CONCERNING A CERTIFICATE OF BIRTH  
RESULTING IN STILLBIRTH.

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

SECTION 1. Arkansas Code § 20-18-410(a)(2), concerning the definition of "stillbirth" regarding a certificate of birth resulting in stillbirth, is amended to read as follows:

(2) "Stillbirth" means an unintended, intrauterine fetal death occurring in this state after a gestational age of not less than ~~twenty (20)~~ twelve (12) completed weeks.

SECTION 2. Arkansas Code § 20-18-603 is amended to read as follows:

20-18-603. Registration of termination of pregnancy.

(a)(1)(A)(i) Each A fetal death, ~~when the fetus weighs three hundred fifty grams (350 g) or more or, if weight is unknown,~~ when the fetus



completed ~~twenty (20)~~ twelve (12) weeks' gestation or more, calculated from the date the last normal menstrual period began to the date of delivery, that occurs in this state shall be reported within five (5) days after delivery to the Division of Vital Records or as otherwise directed by the State Registrar of Vital Records.

(ii) ~~All induced terminations~~ An induced termination of pregnancy shall be reported in the manner prescribed in subsection (b) of this section and shall not be reported as fetal deaths.

(B) When a dead fetus is delivered in an institution, the person in charge of the institution or his or her designated representative shall prepare and file the fetal death certificate.

(C) When a dead fetus is delivered outside an institution, the physician in attendance at or immediately after delivery shall prepare and file the fetal death certificate.

(D) When a fetal death required to be reported by this section occurs without medical attendance at or immediately after the delivery, or when inquiry is required by § 12-12-301 et seq. or § 14-15-301 et seq. or otherwise provided by law, the State Medical Examiner or coroner shall investigate the cause of fetal death and shall prepare and file the report within five (5) days.

(E)(i) When a fetal death occurs in a moving conveyance and the fetus is first removed from the conveyance in this state or when a fetus is found in this state and the place of fetal death is unknown, the fetal death shall be reported in this state.

(ii) The place where the fetus was first removed from the conveyance or the fetus was found shall be considered the place of fetal death.

(2) Spontaneous fetal deaths when the fetus has completed less than ~~twenty (20)~~ twelve (12) weeks of gestation ~~and when the fetus weighs less than three hundred fifty grams (350 g)~~ shall be reported as prescribed in subsection (b) of this section.

(b)(1) Each induced termination of pregnancy which occurs in this state regardless of the length of gestation shall be reported to the division within five (5) days by the person in charge of the institution in which the induced termination of pregnancy was performed.

(2) If the induced termination of pregnancy was performed

outside an institution, the attending physician shall prepare and file the report.

(c)(1)(A) The reports required under this ~~subsection~~ section are statistical reports to be used only for medical and health purposes and shall not be incorporated into the permanent official records of the system of vital statistics.

(B) A schedule for the disposition of these reports shall be provided for by regulation.

(2) Reports required under this section shall not include the name or other personal identification of the individual having an induced or spontaneous termination of pregnancy.

**APPROVED: 02/15/2017**