
HOUSE BILL 1658

State of Washington 62nd Legislature 2011 Regular Session

By Representatives Green, Walsh, Schmick, Moscoso, and Kenney

Read first time 01/28/11. Referred to Committee on Health Care & Wellness.

1 AN ACT Relating to certificates of still birth; and adding a new
2 section to chapter 70.58 RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 70.58 RCW
5 to read as follows:

6 (1) The local registrar of the county in which a stillbirth occurs
7 shall issue, upon request of the mother or father of the fetus, a
8 certificate of still birth on a form prescribed by the state registrar.
9 The local registrar must transmit a completed certificate of still
10 birth to the state registrar no later than sixty days after its
11 issuance.

12 (2) Except as otherwise provided in this section, a certificate of
13 still birth must comply with all of the format requirements governing
14 a birth certificate. The certificate of still birth is in addition to,
15 and may not replace, a fetal death certificate.

16 (3) A certificate of still birth must contain the following
17 information taken, when possible, from the fetal death certificate:

18 (a) The date of the stillbirth;

19 (b) The county in which the stillbirth occurred;

1 (c) The name, if any, and sex of the stillborn fetus;
2 (d) The time and place of the stillbirth, including the street
3 address, and, if applicable, the name of the hospital in which the
4 stillbirth occurred;
5 (e) The names, dates of birth, and states of birth of the mother
6 and father;
7 (f) The file number of the fetal death certificate;
8 (g) A title at the top of the certificate that reads, "Certificate
9 of Still Birth;" and
10 (h) A statement at the bottom of the certificate that reads, "This
11 Certificate of Still Birth is not proof of a live birth."
12 (4) The state or local registrar may not use the information on a
13 certificate of still birth for any purpose other than to respond to the
14 request for the certificate from the mother or father of the fetus.
15 (5) A certificate of still birth must be issued to a mother or
16 father upon request regardless of the date the fetal death certificate
17 was issued.
18 (6) The state registrar and the local registrar may charge a fee
19 for processing and issuing a certificate of still birth. The amount of
20 the fee may not exceed the full cost of providing the certificate.
21 (7) Nothing in this section may be the basis for a civil cause of
22 action seeking damages against any person or entity for bodily injury,
23 personal injury, or wrongful death for a stillbirth.
24 (8) For purposes of this section, "stillbirth" means the delivery
25 of a fetus where there was a naturally occurring intrauterine fetal
26 death after a gestational age of at least twenty completed weeks.
27 (9) Through its statutes, state Constitution, and judicial
28 decisions, Washington protects a woman's right to reproductive privacy
29 and freedom and it is the intent of legislature to reaffirm this
30 protection. Nothing in this section may be interpreted to alter a
31 woman's right to reproductive privacy and freedom in any way or to
32 alter or supersede any other provision of law. The terms used in this
33 section only apply to this section and do not affect the definition,
34 use, meaning, or intent of the terms as they may appear in any other
35 statute, judicial decision, or the state Constitution. Except for the
36 right to request a certificate of still birth, nothing in this section

1 constitutes the basis of any new right, privilege, or entitlement or
2 abrogates any existing right, privilege, or entitlement.

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