



# Ohio Legislative Service Commission

## Bill Analysis

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### H.B. 95

130th General Assembly  
(As Introduced)

**Reps.** Hill, Huffman, J. Adams, Buchy, Beck, Becker, Blair, Boose, Brown, Conditt, Derickson, Gonzales, Hood, Ruhl, Sprague, Stebelton, Terhar, Milkovich

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## BILL SUMMARY

- Revises the statute that provides for issuance of a "certificate recognizing the delivery of a stillborn infant" by instead referring to a "certificate of birth resulting in stillbirth."
- Requires the Director of Health or the State Registrar, on receipt of a written request signed by a parent who was previously issued a certificate recognizing the delivery of a stillborn infant, to reissue the certificate as a certificate of birth resulting in stillbirth.
- Provides that, when a burial permit is issued for a product of human conception of at least 20 weeks of gestation that suffers a fetal death, the local registrar must inform the parent or parents of the option to apply for a certificate of birth resulting in stillbirth and the application process.

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## CONTENT AND OPERATION

### Certificates of birth resulting in stillbirth

The bill replaces a provision referring to issuance of a "certificate recognizing the delivery of a stillborn infant" with a provision referring to issuance of a "certificate of birth resulting in stillbirth."<sup>1</sup> Under current law unchanged by the bill, this certificate must be issued by the Director of Health or the State Registrar in the Office of Vital Statistics on receiving an application signed by either parent. No fee is charged for the

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<sup>1</sup> R.C. 3705.23(B)(3)(a).

certificate. The certificate is not proof of a live birth for purposes of federal, state, and local taxes.

Beginning in August 2012, at the request of parents of stillborn infants, the Department of Health changed the format of the certificates it issues under current law. The heading on the certificates previously stated "Certification of Stillbirth" but now states "Certification of Birth."<sup>2</sup> There is no longer any indication of stillbirth on the certificates.

### **Reissuance of certificates previously issued**

The bill requires the Director or the State Registrar, on receipt of a written request signed by a parent who was previously issued a certificate recognizing the delivery of a stillborn infant, to reissue the certificate as a certificate of birth resulting in stillbirth.<sup>3</sup>

### **Notification of option to apply for a certificate of birth resulting in stillbirth**

Under the bill, when a burial permit is issued for a product of human conception of at least 20 weeks of gestation that suffers a fetal death, the local registrar must inform the parent or parents listed on the fetal death certificate or provisional death certificate of the option to apply for a certificate of birth resulting in stillbirth. The local registrar also must inform the parent or parents of the process for filing the application for the certificate.<sup>4</sup>

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## **HISTORY**

<b>ACTION</b>	<b>DATE</b>
Introduced	03-06-13

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<sup>2</sup> Ohio Department of Health, "Revised Certification of Stillbirth Format" and "Certification of Stillbirth 2012 with Cover Letter" (last visited March 19, 2013), available at <http://vitalsupport.odh.ohio.gov/GD/Templates/Pages/ODH/ODHDetail.aspx?page=3&TopicRelationID=482&Content=5438> and < <http://vitalsupport.odh.ohio.gov/GD/Templates/Pages/ODH/ODHDetail.aspx?page=2&TopicRelationID=548>>.

<sup>3</sup> R.C. 3705.23(B)(3)(b).

<sup>4</sup> R.C. 3705.20(D).

