

Bill No. SB 746

Barcode 570200

CHAMBER ACTION

Senate

House

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The Committee on Judiciary (Baker) recommended the following amendment:

Senate Amendment (with title amendment)

On page 4, line 11, through
page 6, line 21, delete those lines

and insert:

Section 2. Section 382.0085, Florida Statutes, is
created to read:

382.0085 Stillbirth registration.--

(1) For any stillborn child in this state, the department shall, within 60 days, issue a certificate of birth resulting in stillbirth upon the request of a parent named on a fetal death certificate.

(2) The person who is required to file a fetal death certificate under this chapter shall advise the parent of a stillborn child:

(a) That the parent may request the preparation of a certificate of birth resulting in stillbirth in addition to the fetal death certificate;

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1 (b) That the parent may obtain a certificate of birth
2 resulting in stillbirth by contacting the Office of Vital
3 Statistics;

4 (c) How the parent may contact the Office of Vital
5 Statistics to request a certificate of birth resulting in
6 stillbirth; and

7 (d) That a copy of the original certificate of birth
8 resulting in stillbirth is a document that is available as a
9 public record when held by an agency as defined under s.
10 119.011(2).

11 (3) The request for a certificate of birth resulting
12 in stillbirth must be on a form prescribed by the department
13 by rule and include the date of the stillbirth and the county
14 in which the stillbirth occurred. The request shall normally
15 include the state file number of the fetal death report
16 pursuant to s. 382.008.

17 (4) The certificate of birth resulting in stillbirth
18 must contain:

19 (a) The date of the stillbirth.

20 (b) The county in which the stillbirth occurred.

21 (c) The name of the stillborn child as provided on the
22 original or amended certificate of the fetal death report
23 pursuant to s. 382.008. If a name does not appear on the
24 original or amended fetal death certificate and the requesting
25 parent does not wish to provide a name, the Office of Vital
26 Statistics shall fill in the certificate of birth resulting in
27 stillbirth with the name "baby boy" or "baby girl" and the
28 last name of the parents as provided in s. 382.013(3).

29 (d) The state file number of the corresponding
30 certificate of fetal death.

31 (e) The following statement: "This certificate is not

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1 proof of live birth."

2 (5) A certificate of birth resulting in stillbirth
3 shall be a public record when held by an agency as defined
4 under s. 119.011(2). The Office of Vital Statistics must
5 inform any parent who requests a certificate of birth
6 resulting in stillbirth that a copy of the document is
7 available as a public record.

8 (6) A parent may request that the Office of Vital
9 Statistics issue a certificate of birth resulting in
10 stillbirth regardless of the date on which the certificate of
11 fetal death was issued.

12 (7) It is final agency action, not subject to review
13 under chapter 120, for the Office of Vital Statistics to
14 refuse to issue a certificate to a person who is not a parent
15 named on the fetal death certificate and who is not entitled
16 to a certificate of birth resulting in stillbirth.

17 (8) The Office of Vital Statistics may not use a
18 certificate of birth resulting in stillbirth to calculate live
19 birth statistics.

20 (9) The department shall prescribe by rules adopted
21 pursuant to ss. 120.536(1) and 120.54 the form, content, and
22 process for the certificate of birth resulting in stillbirth.

23 Section 3. Paragraph (j) is added to subsection (1) of
24 section 382.0255, Florida Statutes, to read:

25 382.0255 Fees.--

26 (1) The department is entitled to fees, as follows:

27 (j) Not less than \$3 or more than \$5 for processing
28 and filing a new certificate of birth resulting in stillbirth
29 pursuant to s. 382.0085.

30
31 (Redesignate subsequent sections.)

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1 ===== T I T L E A M E N D M E N T =====

2 And the title is amended as follows:

3 On page 1, lines 5-31, delete those lines

4

5 and insert:

6 382.0085, F.S.; requiring the Department of
7 Health to issue a certificate of birth
8 resulting in stillbirth upon request of
9 specified parent; requiring that the person
10 required to file the fetal death certificate
11 advise a parent of a stillborn child about the
12 availability of a certificate of birth
13 resulting in stillbirth; requiring that the
14 person required to file the fetal death
15 certificate inform a parent of a stillborn
16 child that copies of the birth certificate
17 resulting in stillbirth may be available as a
18 public record; requiring a form prescribed by
19 the Department of Health and specified
20 information to request a certificate of birth
21 resulting in stillbirth; providing requirements
22 for the certificate of birth resulting in
23 stillbirth; designating the certificate of
24 birth resulting in stillbirth as a public
25 record; authorizing a parent to request a
26 certificate of birth resulting in stillbirth
27 without regard to the date on which the
28 certificate of fetal death was issued;
29 designating the refusal to issue a certificate
30 of birth resulting in stillbirth to certain
31 persons as final agency action not subject to

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1 administrative review; prohibiting the use of
2 certificates of birth resulting in stillbirth
3 to calculate live birth statistics; entitling
4 the Office of Vital Statistics to a fee for the
5 certificate of birth resulting in stillbirth;
6 authorizing rulemaking by the Department of
7 Health for the certificate of birth resulting
8 in stillbirth; amending s. 382.0255, F.S.;
9 authorizing the Department of Health to collect
10 fees for a certificate of birth resulting in
11 stillbirth; providing an effective date.

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