

# SENATE BILL NO. 1776

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR COLEMAN.

6977S.011

KRISTINA MARTIN, Secretary

## AN ACT

To repeal section 193.165, RSMo, and to enact in lieu thereof one new section relating to spontaneous fetal death reports.

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Section 193.165, RSMo, is repealed and one new  
2 section enacted in lieu thereof, to be known as section 193.165,  
3 to read as follows:

193.165. 1. Each spontaneous fetal death of twenty  
2 completed weeks gestation or more, calculated from the date  
3 the last normal menstrual period began to the date of  
4 delivery, or a weight of three hundred fifty grams or more,  
5 which occurs in this state shall be reported within seven  
6 days after delivery to the local registrar or as otherwise  
7 directed by the state registrar.

8 2. When a dead fetus is delivered in an institution,  
9 the person in charge of the institution or his or her  
10 designated representative shall prepare and file the report.

11 3. When a dead fetus is delivered outside an  
12 institution, the physician in attendance at or immediately  
13 after delivery shall prepare and file the report.

14 4. When a spontaneous fetal death required to be  
15 reported by this section occurs without medical attendance  
16 at or immediately after the delivery or when inquiry is  
17 required by the medical examiner or coroner, the medical

18 examiner or coroner shall investigate the cause of  
19 spontaneous fetal death and shall prepare and file the  
20 report within seven days; **provided, that when a licensed**  
21 **treating physician has determined, in writing, the**  
22 **nonviability of the pregnancy preceding the spontaneous**  
23 **fetal death, such written determination shall serve as**  
24 **sufficient evidence for purposes of this section and the**  
25 **treating physician shall prepare and file the report within**  
26 **seven days of receiving notice of the spontaneous fetal**  
27 **death.**

28         5. When a spontaneous fetal death occurs in a moving  
29 conveyance and the fetus is first removed from the  
30 conveyance in this state or when a dead fetus is found in  
31 this state and the place of the spontaneous fetal death is  
32 unknown, the spontaneous fetal death shall be reported in  
33 this state. The place where the fetus was first removed  
34 from the conveyance or the dead fetus was found shall be  
35 considered the place of the spontaneous fetal death.

36         6. Notwithstanding any provision of law to the  
37 contrary, individuals with direct and tangible interest, as  
38 defined by the department of health and senior services, may  
39 receive the spontaneous fetal death report.

40         7. In the event of a spontaneous fetal death,  
41 regardless of whether such death occurs before or after  
42 August 28, 2004, either parent, or if both parents are  
43 deceased, a sibling of the stillborn child, shall have the  
44 right to file an application with the state registrar and  
45 other custodians of vital records requesting a certificate  
46 of birth resulting in stillbirth. The certificate shall be  
47 based upon the information available from the spontaneous  
48 fetal death report filed pursuant to this section.

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