

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE NO. 2 FOR
SENATE BILL NO. 25
90TH GENERAL ASSEMBLY

Reported from the Committee on Public Health, April 13, 1999, with recommendation that the House Committee Substitute No. 2 for Senate Bill No. 25 Do Pass by Consent.

ANNE C. WALKER, Chief Clerk

L0511.05C

AN ACT

To repeal sections 193.165 and 194.117, RSMo 1994, relating to sudden infant death, and to enact in lieu thereof two new sections relating to the same subject.

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

Section A. Sections 193.165 and 194.117, RSMo 1994, are repealed and two new sections enacted in lieu thereof, to be known as sections 193.165 and 194.117, to read as follows:

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

2. 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 report.

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

4. When a spontaneous 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 the medical examiner or coroner, the medical examiner or coroner shall investigate the cause of spontaneous fetal death and shall prepare and file the report within seven days.

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

6. The spontaneous fetal death report required **[under]** **pursuant to** this section is a statistical report 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. A schedule for the disposition of these reports may be provided by department rules. **Notwithstanding any provision of law to the contrary, individuals with direct and tangible interest, as defined by the department of health, may receive the spontaneous fetal death report.**

194.117. Any person who discovers the dead body of, or acquires the first knowledge

EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

of the death of, any child under the age of one year and over the age of one week, where the child died suddenly when in apparent good health, shall immediately notify the county coroner or medical examiner of the known facts concerning the time, place, manner, and circumstances of the death. All such deaths shall be autopsied by a certified child death pathologist. The coroner or medical examiner shall notify the parent or guardian of the child that an autopsy shall be performed at the expense of the state. The department of health shall receive prompt notification of such autopsy results. The results from the autopsy shall be reduced to writing and delivered to the state department of health. The term "sudden infant death syndrome" shall be entered on the death certificate as the principal cause of death where the term is appropriately descriptive of the circumstances surrounding the death of the child. The cost of the autopsy and transportation of the body shall be paid by the department of health, and the department shall pay, out of appropriations made for that purpose, as a reimbursement to the certified child death pathologist such costs that are within the limitation of maximum rates established by the rules and regulations of the department. Autopsies under this section shall be performed by pathologists deemed qualified to perform autopsies by the department of health and who agree to perform the autopsy according to protocols developed pursuant to section 210.196, RSMo. The [department of health] **certified child death pathologist** shall ensure that **a tangible summary of the** autopsy results [are shared with] **is provided to** the parents or guardian of the child and shall provide informational material on the subject of sudden infant death syndrome to the family[. The coroner or medical examiner, certified child death pathologist or family physician may release autopsy results to the parent or guardian of the child in cases of suspected sudden infant death syndrome] **within one week after the autopsy is performed. A form letter developed by the department of health shall include a statement informing the parents or guardian of the right to receive the full autopsy results in cases of suspected sudden infant death syndrome. The certified child death pathologist shall, upon request by the parents or guardian, release the full autopsy results to the parents, guardian or family physician in cases of suspected sudden infant death syndrome within thirty days of such request. The tangible summary and full autopsy report shall be provided at no cost to the parents or guardian.** The director of the department of health shall prescribe reasonable rules and regulations necessary to carry out the provisions of this section, including the establishment of a cost schedule and standards for reimbursement of costs of autopsies performed pursuant to the provisions of this section. The provisions of this section shall not be construed so as to limit, restrict or otherwise affect any power, authority, duty or responsibility imposed by any other provision of law upon any coroner or medical examiner. The department of health may receive grants of money or other aid from federal and other public and private agencies or individuals for the administration or funding of this section or any portion thereof or for research to determine the cause and prevention of deaths caused by sudden infant death syndrome.