

CHAPTER 312

AN ACT concerning stillbirths and amending R.S.26:8-37.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. R.S.26:8-37 is amended to read as follows:

Stillborn child to be registered as fetal death; birth certificate option.

26:8-37. a. A stillborn child shall be registered as a fetal death as required by R.S.26:6-11.

b. (1) The State registrar shall establish a certificate of birth resulting in stillbirth, subject to the provisions of paragraph (2) of this subsection, which shall contain such items as shall be listed on a form provided or approved by the State registrar pursuant to subsection c. of R.S.26:8-24, for an unintended, intrauterine fetal death occurring in this State after a gestational period of 20 or more weeks. This certificate shall be offered to the parent of a stillborn child.

(2) The certificate shall be provided by the State Registrar upon the parent's written request that is transmitted to the State registrar by a licensed health care professional on the parent's behalf.

(3) The person who prepares a certificate pursuant to this subsection shall leave blank any references to the stillborn child's name if the stillborn child's parent does not wish to provide a name for the stillborn child.

(4) The certificate of birth resulting in stillbirth shall be filed with the local registrar of the district in which the birth resulting in stillbirth occurred within three days following receipt by the State registrar of the parent's request for the certificate.

(5) When a birth resulting in stillbirth occurring in this State has not been registered within one year after the date of delivery, a certificate marked "delayed" may be filed and registered.

2. The Commissioner of Health and Senior Services shall adopt rules and regulations pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.) to carry out the purposes of this act.

3. This act shall take effect on the 60th day following enactment and shall apply to stillbirths that occurred before, on or after the effective date

Approved January 20, 2004.