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AN ACT

RELATING TO VITAL STATISTICS; REQUIRING REGISTRATIONS OF
FETAL DEATH FOR CERTAIN SPONTANEOUS FETAL DEATHS; PROVIDING
FOR CERTIFICATES OF BIRTH RESULTING IN STILLBIRTH; IMPOSING A
FEE; MAKING AN APPROPRIATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 24-14-22 NMSA 1978 (being Laws 1961,
Chapter 44, Section 20, as amended) is amended to read:

"24-14-22. REGISTRATIONS OF FETAL DEATH.--

A. Each spontaneous fetal death that occurs in
this state, where the fetus has a weight of five hundred
grams or more or that occurs after twenty complete weeks of
gestation shall be reported to the state registrar by
registration of fetal death with the vital statistics bureau
of the public health division of the department or as
directed by the state registrar. A fetal death shall be
registered within ten days following the spontaneous fetal
death.

B. When a spontaneous fetal death for which
registration of fetal death is required occurs in an
institution, the person in charge of the institution or the
designated representative of that person shall prepare and
register the fetal death and shall advise a parent of the
stillborn fetus of the option to request a certificate of

1 fetal death and a certificate of birth resulting in
2 stillbirth.

3 C. When a spontaneous fetal death for which
4 registration of fetal death is required occurs on a moving
5 conveyance and the fetus is first removed from the conveyance
6 in this state, the fetal death shall be registered with the
7 state registrar. The place where the fetus was first removed
8 from the conveyance shall be considered the place of fetal
9 death.

10 D. When a spontaneous fetal death for which
11 registration of fetal death is required occurs and the place
12 of spontaneous fetal death is unknown, the place where the
13 dead fetus was found shall be considered the place of
14 spontaneous fetal death.

15 E. When a spontaneous fetal death for which
16 registration of fetal death is required occurs without
17 medical attendance at or immediately after the delivery or
18 when inquiry is required by law, the state medical
19 investigator shall investigate the cause of fetal death and
20 shall prepare and file a registration of fetal death.

21 F. The names of the parents, if known, shall be
22 entered on the registration of fetal death in accordance with
23 the provisions of Section 24-14-13 NMSA 1978.

24 G. The name of the stillborn fetus may be entered
25 on the registration of fetal death upon the request of a

1 parent.

2 H. A delayed registration of fetal death may be
3 filed in accordance with Section 24-14-21 NMSA 1978; provided
4 that the parent may present a copy of the report of
5 spontaneous fetal death or other medical records as
6 established by rule of the state registrar to substantiate
7 the alleged facts of the spontaneous fetal death.

8 I. Upon the request of a parent of a stillborn
9 fetus, the state registrar shall issue a certificate of fetal
10 death without regard to the date on which a report of
11 spontaneous fetal death was filed or when the fetal death was
12 registered.

13 J. Registrations of fetal death pursuant to this
14 section shall be kept on file as permanent records."

15 Section 2. A new section of Chapter 24, Article 14 NMSA
16 1978 is enacted to read:

17 "CERTIFICATES OF BIRTH RESULTING IN STILLBIRTH.--

18 A. The state registrar shall establish a
19 certificate of birth resulting in stillbirth. A person
20 required to prepare and register a fetal death shall offer
21 the certificate of birth resulting in stillbirth to the
22 parent or parents of a stillborn child. Upon the request of
23 a parent of a stillborn child, a certificate of birth
24 resulting in stillbirth shall be completed and filed in
25 accordance with Section 24-14-13 NMSA 1978.

1 B. A delayed registration of a certificate of
2 birth resulting in stillbirth may be filed in accordance with
3 Section 24-14-15 NMSA 1978; provided that a parent of a
4 stillborn child may present a copy of the report of
5 spontaneous fetal death, the registration of fetal death, the
6 certificate of fetal death or other medical records as
7 established by rule of the state registrar to substantiate
8 the alleged facts of the stillbirth.

9 C. Notwithstanding the provisions of Subsection A
10 of this section and upon the request of a parent whose name
11 is entered on a report of a spontaneous fetal death, a
12 registration of fetal death or a certificate of fetal death,
13 the state registrar shall issue a certificate of birth
14 resulting in stillbirth without regard to the date on which a
15 report of a spontaneous fetal death was filed, when the fetal
16 death was registered or when a certificate of fetal death was
17 issued.

18 D. The name of the stillborn child may be entered
19 on the certificate of birth resulting in stillbirth upon the
20 request of a parent.

21 E. The state registrar shall not use a certificate
22 of birth resulting in stillbirth to calculate live birth
23 statistics."

24 Section 3. Section 24-14-29 NMSA 1978 (being Laws 1961,
25 Chapter 44, Section 27, as amended) is amended to read:

1 "24-14-29. FEES FOR COPIES AND SEARCHES.--

2 A. The fee for each search of a vital record to
3 produce a certified copy of a birth certificate shall be ten
4 dollars (\$10.00) and shall include one certified copy of the
5 record, if available.

6 B. The fee for the establishment of a delayed
7 record or for the revision or amendment of a vital record, as
8 a result of an adoption, a legitimation, a correction or
9 other court-ordered change to a vital record, shall be ten
10 dollars (\$10.00). The fee shall include one certified copy
11 of the delayed record.

12 C. The fee for each search of a vital record to
13 produce a certified copy of a certificate of fetal death or a
14 certificate of birth resulting in stillbirth shall be five
15 dollars (\$5.00) and shall include one certified copy of the
16 record, if available.

17 D. The fee for each search of a vital record to
18 produce a certified copy of a death certificate shall be five
19 dollars (\$5.00) and shall include one certified copy of the
20 record, if available.

21 E. Revenue from the fees imposed in this section
22 shall be distributed as follows:

23 (1) an amount equal to three-fifths of the
24 revenue from the fee imposed by Subsection A of this section,
25 an amount equal to one-half of the revenue from the fee

