

1 AMENDMENT TO HOUSE BILL 382

2 AMENDMENT NO. _____. Amend House Bill 382 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Hospital Licensing Act is amended by
5 adding Section 11.4 as follows:

6 (210 ILCS 85/11.4 new)

7 Sec. 11.4. Disposition of fetus. A hospital having
8 custody of a fetus following a spontaneous fetal demise
9 occurring after a gestation period of less than 20 completed
10 weeks must notify the mother of her right to arrange for the
11 burial or cremation of the fetus. If, within 24 hours after
12 being notified under this Section, the mother elects in
13 writing to arrange for the burial or cremation of the fetus,
14 the disposition of the fetus shall be subject to the same
15 laws and rules that apply in the case of a fetal death that
16 occurs in this State after a gestation period of 20 completed
17 weeks or more. The Department of Public Health shall develop
18 forms to be used for notifications and elections under this
19 Section and hospitals shall provide the forms to the mother.

20 Section 10. The Vital Records Act is amended by changing
21 Section 20 as follows:

1 (410 ILCS 535/20) (from Ch. 111 1/2, par. 73-20)

2 Sec. 20. Fetal death; place of registration.

3 (1) Each fetal death which occurs in this State after a
4 gestation period of 20 completed weeks (and when the mother
5 elects in writing to arrange for the burial or cremation of
6 the fetus under Section 11.4 of the Hospital Licensing Act)
7 or more shall be registered with the local or subregistrar of
8 the district in which the delivery occurred within 7 days
9 after the delivery and before removal of the fetus from the
10 State, except as provided by regulation in special problem
11 cases.

12 (a) For the purposes of this Section, if the place
13 of fetal death is unknown, a fetal death certificate
14 shall be filed in the registration district in which a
15 dead fetus is found, which shall be considered the place
16 of fetal death.

17 (b) When a fetal death occurs on a moving
18 conveyance, the city, village, township, or road district
19 in which the fetus is first removed from the conveyance
20 shall be considered the place of delivery and a fetal
21 death certificate shall be filed in the registration
22 district in which the place is located.

23 (c) The funeral director or person acting as such
24 who first assumes custody of a fetus shall file the
25 certificate. The personal data shall be obtained from the
26 best qualified person or source available. The name,
27 relationship, and address of the informant shall be
28 entered on the certificate. The date, place, and method
29 of final disposition of the fetus shall be recorded over
30 the personal signature and address of the funeral
31 director responsible for the disposition. The certificate
32 shall be presented to the person responsible for
33 completing the medical certification of the cause of
34 death.

1 (2) The medical certification shall be completed and
2 signed within 24 hours after delivery by the physician in
3 attendance at or after delivery, except when investigation is
4 required under Division 3-3 of Article 3 of the Counties Code
5 and except as provided by regulation in special problem
6 cases.

7 (3) When a fetal death occurs without medical attendance
8 upon the mother at or after the delivery, or when
9 investigation is required under Division 3-3 of Article 3 of
10 the Counties Code, the coroner shall be responsible for the
11 completion of the fetal death certificate and shall sign the
12 medical certification within 24 hours after the delivery or
13 the finding of the fetus, except as provided by regulation in
14 special problem cases.

15 (Source: P.A. 88-159.)".