

SESSION OF 2010

SUPPLEMENTAL NOTE ON SENATE BILL NO. 448

As Amended by Senate Committee of the Whole

Brief*

SB 448 would amend current law to allow the use of identifiable data in birth, death, and stillbirth certificates for the purpose of maternal and child surveillance and monitoring. The bill also would allow the Secretary of Health and Environment or the Secretary's designee to interview individuals for maternal and child surveillance and monitoring, but only with the approval of the Health and Environmental Institution Review Board under Title 45, Part 46 of the Code of Federal Regulations. An obligation would be imposed on the Secretary to advise the individuals of the voluntary nature of participation in the surveillance and monitoring, and that written consent of the person who is the subject of the information or informed consent of a parent or legal guardian if the person is under the age of eighteen would be required. Informed consent would not be required if the person who is the subject of the information is deceased.

Further, the bill would amend the filing requirements for death and stillbirth certificates. The definitions of "live birth," "stillbirth," and "induced termination of pregnancy" would be amended. The bill would require that a death or stillbirth certificate be filed when the weight of the fetus is greater than 250 grams. It also would provide an option for mothers to request that a stillbirth certificate be filed if the fetus weighs 250 grams or less.

The bill would take effect on publication in the *Kansas Register*.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

Background

The bill was introduced by the Senate Committee on Public Health and Welfare at the request of Kansas Action for Children. Proponents of the bill included representatives of Kansas Action for Children, the March of Dimes, the Kansas Department of Health and Environment, the Mother and Child Health Coalition of Kansas City, the SIDS Network of Kansas, and the Kansas Blue Ribbon Panel on Infant Mortality. Proponents stated the bill would remove from statute existing barriers to maternal and child health surveillance and monitoring while assuring confidentiality of data. Proponents further testified that present law does not allow for the collection of quality data for program and policy decisions regarding maternal and child health surveillance and monitoring, and places Kansas at a disadvantage in competing with other states for federal funding. The testimony further stated the bill would make Kansas eligible to apply for Center for Disease Control and Prevention funding to explore the root causes of infant mortality and develop community specific solutions.

Testimony also was heard from a representative of the Kansas Health Institute who took a neutral position on the bill.

There were no opponents of the bill.

The Senate Public Health and Welfare Committee made technical amendments to the bill.

The Senate Committee of the Whole amended the definitions of “live birth,” “stillbirth,” and “induced termination of pregnancy” as found in the Uniform Vital Statistics Act. The Committee of the Whole also amended the filing requirements for death or stillbirth certificates by requiring that a death or stillbirth certificate be filed when the fetus weight is more than 250 grams. The bill also would provide the mother the option of choosing whether a stillbirth certificate would be filed when the fetus weight is less than or equal to 250 grams.

The fiscal note on the original bill prepared by the Division of the Budget states that the bill, according to the Kansas Department of Health and Environment, would not increase expenditures for the agency, but it could increase federal grant revenues.