

House Health Engrossed Substitute for HB55



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A BILL
TO BE ENTITLED
AN ACT

Relating to ~~Alabama Department of Public Health~~ Vital
Statistics; to adopt the Genesis Act; ~~to require the~~
~~Department of Health~~ to provide a Certificate of Nonviable
Birth to parents, upon request, for certain nonviable births;
to require the State Board of Health to adopt rules regarding
a Certificate of Nonviable Birth.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. This act shall be known and may be cited as
the Genesis Act.

Section 2.

~~The Alabama Department of Public Health shall issue,~~
~~upon request, a Certificate of Nonviable Birth to a parent or~~
~~parents of a nonviable birth occurring before 20 weeks of~~
~~gestation. The department, by rule, shall establish a standard~~
~~form and a process under which a parent may request a~~
~~certificate. The department may require a health care~~
~~professional to complete and sign a form verifying the~~
~~nonviable birth as a prerequisite to issuing a certificate.~~

(a) (1) Following a nonviable birth occurring before 20
weeks of gestation, a report of fetal death shall be



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29 electronically filed with the Office of Vital Statistics
30 within five days after the fetal death is known, if a report
31 is requested by the parent or parents.

32 (2) A report of fetal death filed pursuant to this act
33 shall be filed as provided in Section 22-9A-13, Code of
34 Alabama 1975.

35 (b) The State Registrar of Vital Statistics, upon the
36 request of a parent named on a report of fetal death filed on
37 or after November 1, 2023, shall issue a Certificate of
38 Nonviable Birth within 60 days from the date of the request.

39 (c) The State Board of Health shall adopt rules to
40 implement and administer this section. In addition to any
41 other information required by the board, the Certificate of
42 Nonviable Birth shall include all of the following
43 information:

44 (1) The date of the nonviable birth.

45 (2) The county where the nonviable birth occurred.

46 (3) The name of the child of nonviable birth as
47 provided in the report of fetal death, if a name appears on
48 the report of fetal death. If a name does not appear on the
49 report of fetal death, the State Registrar, upon the request
50 of a parent listed in the report of fetal death, shall add a
51 name to the certificate when issued.

52 (4) The file number of the corresponding report of
53 fetal death.

54 (5) The following statement: "This certificate is not
55 proof of live birth."

56 (d) Parental information shall not be changed or added



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57 to a Certificate of Nonviable Birth after the report is filed,
58 except for minor corrections to the name of the parent
59 recorded on a report of fetal death or upon the receipt of a
60 certified copy of an order of a court of competent
61 jurisdiction.

62 (e) The fee for the issuance of the Certificate of
63 Nonviable Birth shall be the same as the fee collected for the
64 issuance of a certified copy of any other vital record.

65 Section 3. This act shall become effective on the first
66 day of the ~~third~~ sixth month following its passage and
67 approval by the Governor, or its otherwise becoming law.