

Subj: **STATE FETAL DEATH CERTIFICATES LANGUAGE**  
 Date: 2/16/2005 12:44:59 PM Mountain Standard Time  
 From: [iwalker@nrlc.org](mailto:iwalker@nrlc.org)  
 To: [GTRUDE@aol.com](mailto:GTRUDE@aol.com)

EXHIBIT 8  
 DATE 2/17/05  
 HB 617

## KENTUCKY

### **311.790 Issuance of birth and death certificates for live-born child after attempted abortion.**

Any child which is live born after an induced termination of pregnancy shall be fully recognized as a human person under the law and a birth certificate shall be issued certifying the birth of the live-born person even though the person may die thereafter. In the event death does ensue, a death certificate shall be issued. Both the birth and death certificates shall be issued as required by KRS 213.046, 213.051, and 213.076.

**Effective:** July 13, 1990

**History:** Amended 1990 Ky. Acts ch. 369, sec. 36, effective July 13, 1990. -- Created 1974 Ky. Acts ch. 255, sec. 9.

## LOUISIANA:

### **§48. Abortions (induced termination of pregnancy); birth and death certificates**

A. Whenever an abortion procedure results in a live birth, a birth certificate shall be issued certifying the birth of said born human being even though said human being may thereafter die. For the purposes of this Section a human being is live born, or there is a live birth, whenever there is the complete expulsion or extraction from its mother of a human embryo or fetus, irrespective of the duration of pregnancy, which after such separation, breathes or shows any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or movement of the voluntary muscles, whether or not the umbilical cord has been cut or the placenta is attached. In the event death does ensue after a short time, a death certificate shall be issued. Both the birth and the death certificates shall be issued in accordance with the provisions of this Part and of rules and regulations of the Department of Health and Hospitals.

B. Each induced termination of pregnancy which occurs in this state shall be reported to the vital records registry within fifteen days by the person in charge of the institution in which the induced termination of pregnancy was performed. If the induced termination of pregnancy was performed outside an institution, the physician in attendance at or immediately after delivery shall prepare and file the report.

Acts 1979, No. 776, §1; Acts 1986, No. 876, §1.

## MISSOURI:

### **Death certificate, how furnished, form, where filed, when (certain counties).**

58.455. The coroner, in all deaths supposed to have been caused by violence or in a suspicious or unusual manner or unusual circumstances by the action of chemical, thermal or electrical agents, or following abortion, or from diseases resulting from injury or infection, or suddenly when not disabled by recognizable disease, shall furnish a death certificate in manner and

form as provided by section 193.145, RSMo. The death certificate shall be filed with the state registrar of vital statistics within thirty-six hours after the cause of death is known.

**SOUTH DAKOTA:**

**34-23A-16.** Birth certificate for live birth resulting from abortion--Death certificate on subsequent death. Whenever an abortion procedure results in a live birth, a birth certificate shall be issued certifying the birth of said live born person even though said live person may thereafter die in a short time. In the event death does ensue after a short time, a death certificate shall be issued; both the birth and death certificates shall be issued pursuant to law and rules and regulations of the State Department of Health.