

**Testimony**  
**House Bill 1292**  
**Senate Human Services Committee**  
**Monday, March 14, 2017; 9:30 a.m.**  
**North Dakota Department of Health**

Good morning, Chairman Lee and members of the Human Services Committee. My name is Darin Meschke. I am the State Registrar and the Director of the North Dakota Department of Health's Division of Vital Records. I am here today to provide neutral testimony on House Bill 1292.

The original bill heard in the House was a seemingly simple bill. It would have allowed any person, as well as the Department of Health, the right to issue a memorial birth certificate, regardless of whether the birth is a live birth. Once my office had a chance to review it, we felt this simple statement created fraud issues regarding our birth certification and registration processes. After a few discussions with several of the bill sponsors, the Department of Health offered this new version of the bill that you have before you today.

This new version of the bill will clearly define a miscarriage of birth as the expulsion of the fetus prior to 20 weeks of gestation. Previously these events were not defined and there was confusion between these events and fetal deaths.

The bill further allows the mother or the father of the fetus lost during this event to request a certificate of fetal loss from my office, which will document the facts of the event. Since these events are not and will not be formally registered by the Department of Health the facts must be documented by a letter signed by a hospital, physician or other medical attendant documenting proof of pregnancy and the fetal loss. My division will then prepare this new certificate and issue a certified copy to the parents. This new certificate is only documenting the facts detailed in the letter. My office is not creating a new vital event as the result of this bill, but rather officially documenting the facts of the miscarriage as outlined by the letter.

The Department of Health believes that this version of the bill meets the intended needs of the sponsors. The Division of Vital Records will need to make minor changes to our receipting system to allow us to track the requests for these new certificates. We believe that these costs will be minimal and can be addressed within the current biennium's budget. The cost to the general public for this new certificate will be \$5.00 for the first copy and \$2.00 for each additional copy issued at the same time as currently allowed by NDCC 23-02.1-29. This concludes my testimony and I would be happy to answer any questions you may have.