

Floor Amendment To LB632

Introduced by Spivey, 13.

Strike the original sections and insert the following new sections:
Section 71-20,121, Revised Statutes Cumulative Supplement, 2024, is amended to read: (1) Every hospital or health clinic licensed under the Health Care Facility Licensure Act shall maintain a written policy for the disposition of the remains of a child born dead at such hospital or health clinic. A parent of such child shall have the right to direct the disposition of such remains, except that disposition may be made by the hospital or health clinic if no such direction is given by a parent within fourteen days following the delivery of such remains. Such policy and such disposition shall comply with all applicable provisions of state and federal law. Upon the delivery of a child born dead, the hospital or health clinic shall notify at least one parent of such parents' right to direct the disposition of the remains of such child and shall provide at least one parent with a copy of its policy with respect to such disposition. (2) For purposes of this section, child born dead means a child at any stage of gestation (a) who has died in utero, (b) whose remains have been removed from the uterus of the mother, for whom pregnancy has been confirmed prior to such removal, and (c) whose remains are identified with the naked eye at the time of such removal by the attending physician or upon subsequent pathological examination if requested by a parent. Strike "This section shall not apply to the performance of an elective abortion." (3) Except as otherwise provided by law, nothing in this section shall be interpreted to prohibit any hospital or health clinic from providing additional notification and assistance to the parent of a child born dead at such hospital or health clinic relating to the disposition of the remains of such child, even if such remains cannot be identified with the naked eye at the time of delivery or upon subsequent pathological examination.