

# Committee on Children JOINT FAVORABLE REPORT

**Bill No.:** SB-325

**Title:** AN ACT CONCERNING MATERNAL CHOICE IN THE EVENT OF STILLBIRTH.

**Vote Date:** 3/15/2018

**Vote Action:** Joint Favorable Substitute

**PH Date:** 3/6/2018

**File No.:**

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## **SPONSORS OF BILL:**

Committee on Children

Sen. Len Suzio, 13th Dist.

## **REASONS FOR BILL:**

To require hospitals to inform mothers of stillborn fetuses of the right to arrange for burial or cremation of such fetuses.

## **RESPONSE FROM ADMINISTRATION/AGENCY:**

None submitted.

## **NATURE AND SOURCES OF SUPPORT:**

### **Sarah Croucher, Executive Director, NARAL Pro-Choice Connecticut:**

NARAL submitted testimony in favor of this bill because they recognize the sensitive nature of this bill and support, as an element of reproductive freedom, the right of family members to choose the right of disposal, burial, or cremation of a stillbirth. This is an important part of individuals being empowered to make their own decisions. However, they want to urge caution around the language of the bill. It is important that this is not modified to compel any kind of behavior or decision. The language of this bill centers choice, and they support language that requires burial or cremation only when the mother wants it.

### **Michael Culhane, Executive Director, Connecticut Catholic Public Affairs Conference:**

The Conference submitted testimony in support of this bill because it helps women in a time of mental and physical anguish when they are likely not focused on the legalities of their situation.

**Katie McGonigal:**

Katie McGonigal testified in strong support of this bill. Katie is a mother of a stillborn daughter who was unknowingly buried in a cemetery for a year after the parents believed her to be cremated. She believes there should be a MANDATORY and UNIVERSAL amount of time given to parents to make the decision about their child's remains. She recommends that parents are given AT LEAST 24 hours of time to sign off on paperwork for the arrangement of their child's remains. Furthermore, she also recommends that a social worker be assigned to each of these grieving families in the 24 hours from birth to discharge. The social worker shall be the one person responsible for explaining the family's options for arrangement of remains. The social worker shall receive the proper training to answer questions, counsel families in grief and offer help with making the final decision.

**NATURE AND SOURCES OF OPPOSITION:**

**Connecticut Hospital Association:**

CHA submitted testimony in opposition to this bill because as drafted it does not fully cooperate with existing laws relating to burial of human remains, including fetal remains and stillborn births. There are various operational issues and implementation steps about how stillborn remains are laid to rest. There needs to be alignment between these existing laws and the proposed mandate for a specific and detailed communication effort to the family. To ensure that the bill achieves its intended result, and to avoid the unintended outcome of creating any confusion or misalignment with existing laws, CHA asks that the Department of Public Health (DPH) review the issue thoroughly with input from families, hospitals, clinicians, midwives, funeral directors, mental health and obstetrics professionals, and any other engaged stakeholders DPH thinks appropriate, so that any notification system put in place achieves the goals of the bill in a patient-centered way, while properly incorporating legal requirements and steps that already exist.

**Reported by: Mikhela Hull**

**Date: 3/26/18**