
State Definitions and Reporting Requirements

For Live Births, Fetal Deaths, and Induced
Terminations of Pregnancy

1997 Revision

From the CENTERS FOR DISEASE CONTROL AND PREVENTION/National Center for Health Statistics



Copyright information

All material in this report is in the public domain and may be reproduced or copied without permission; citation as to source, however, is appreciated.

Suggested citation

Kowaleski J. State definitions and reporting requirements for live births, fetal deaths, and induced terminations of pregnancy (1997 revision). Hyattsville, Maryland: National Center for Health Statistics. 1997.

Library of Congress Cataloging-in-Publication Data

State definitions and reporting requirements for live births, fetal deaths, and induced terminations of pregnancy.

p. cm. — (DHHS publication ; no. (PHS) 98-1119)

“This material was first issued in 1960. The last revision included information current as of January, 1981. This revision contains information current as of January 1997.”

“October 1997.”

ISBN 0-8406-0534-X

1. Registers of births, etc.—United States—States. 2. Medical statistics—Law and legislation—United States—States.
3. Abortion—United States—Statistical methods. 4. Childbirth—United States—Statistical methods. 5. Fetal death—United States—Statistical methods. I. National Center for Health Statistics (U.S.) II. Series.

KF485.Z95S8 1997

344.73'04—DC21

97-29256

CIP

For sale by the U.S. Government Printing Office
Superintendent of Documents
Mail Stop: SSOP
Washington, DC 20402-9328

State Definitions and Reporting Requirements

For Live Births, Fetal Deaths, and Induced
Terminations of Pregnancy
1997 Revision

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
Centers for Disease Control and Prevention
National Center for Health Statistics

Hyattsville, Maryland
October 1997

DHHS Publication No. (PHS) 98-1119

National Center for Health Statistics

Edward J. Sondik, Ph.D., *Director*

Jack R. Anderson, *Deputy Director*

Jack R. Anderson, *Acting Associate Director for International Statistics*

Lester R. Curtin, Ph.D., *Acting Associate Director for Research and Methodology*

Jacob J. Feldman, Ph.D., *Associate Director for Analysis, Epidemiology, and Health Promotion*

Gail F. Fisher, Ph.D., *Associate Director for Data Standards, Program Development, and Extramural Programs*

Edward L. Hunter, *Associate Director for Planning, Budget, and Legislation*

Jennifer H. Madans, Ph.D., *Acting Associate Director for Vital and Health Statistics Systems*

Stephen E. Nieberding, *Associate Director for Management*

Charles J. Rothwell, *Associate Director for Data Processing and Services*

Division of Vital Statistics

Mary Anne Freedman, *Director*

James A. Weed, Ph.D., *Deputy Director*

George A. Gay, *Special Assistant for Registration Methods*

Harry M. Rosenberg, Ph.D., *Chief, Mortality Statistics Branch*

Kenneth G. Keppel, Ph.D., *Acting Chief, Reproductive Statistics Branch*

Nicholas F. Pace, *Chief, Systems, Programming, and Statistical Resources Branch*

Ronald F. Chamblee, *Chief, Data Acquisition and Evaluation Branch*

Foreword

This material was first issued in 1960. The last revision included information current as of January, 1981. This revision contains information current as of January, 1997.

The National Center for Health Statistics wishes to thank the National Association for Public Health Statistics and Information Systems for its help and assistance in obtaining the latest information used by the vital registration areas.

No information was received from American Samoa, New Jersey (induced termination of pregnancy (ITOP)), Northern Mariana Islands, and Oklahoma.

Contents

Foreword.....	i
Introduction	1
Current definitions of live birth in the United States.....	2
Current live birth reporting requirements	2
Current definitions of fetal death in the United States	3
Current fetal death reporting requirements	3
Current definitions of induced termination of pregnancy in the United States.....	5
Current induced termination of pregnancy reporting requirements.....	5
Type of reporting system used for induced termination of pregnancy	6
Type of reporting form used in States with mandatory reporting systems for induced terminations of pregnancy	7
State definitions and reporting requirements for live births, fetal deaths, and induced terminations of pregnancy	8
Alabama	8
Alaska	9
American Samoa.....	10
Arizona	11
Arkansas.....	12
California	13
Colorado	14
Connecticut	15
Delaware.....	16
District of Columbia.....	17
Florida.....	18
Georgia	19
Guam.....	20
Hawaii.....	21
Idaho	22
Illinois	23
Indiana	24
Iowa	25
Kansas.....	26
Kentucky	27
Louisiana	28
Maine.....	29
Maryland	30
Massachusetts.....	31
Michigan.....	32
Minnesota.....	33
Mississippi	34
Missouri	35
Montana	36
Nebraska.....	37
Nevada	38
New Hampshire	39
New Jersey.....	40
New Mexico	41
New York State (excluding New York City)....	42
New York City	43
North Carolina	44
North Dakota.....	45
Northern Mariana Islands	46
Ohio	47
Oklahoma	48
Oregon	49
Pennsylvania	50
Puerto Rico.....	51
Rhode Island	52
South Carolina	53
South Dakota	54
Tennessee	55
Texas	56
Utah	57
Vermont	58
Virginia	59
Virgin Islands	60
Washington	61
West Virginia	62
Wisconsin	63
Wyoming	64
References	65

Introduction

This publication sets forth the following information for all vital registration areas of the United States:

- Current definition of live birth
- Current definition of fetal death (stillbirth)
- Period of gestation at which a fetal death must be reported
- Current definition of induced termination of pregnancy (ITOP)
- When ITOP must be reported

The information is effective as of January, 1997.

Information compiled for each area by the Division of Vital Statistics was submitted to registration offices for review. Their assistance in clarifying the data is appreciated.

The information is presented according to the following arrangements:

- If a statutory provision fully covers the subject, the statute is quoted verbatim.
- Regulations or administrative instructions are given where they supplement statutory provisions.
- When the subject is covered only by a regulation or administrative instruction, it is given.

To ensure incorporation of changes in future revisions, please address correspondence to:

Division of Vital Statistics
National Center for Health Statistics
6525 Belcrest Road, Room 820
Hyattsville, Maryland 20782-2003

Current definitions of live birth in the United States

The 1992 Revision of the Model State Vital Statistics Act and Regulations (1) recommends the following definition of live birth. This definition is based on the definition promulgated by the World Health Organization in 1950 and revised in 1988 by a working group formed by the American Academy of Pediatrics and the American College of Obstetricians and Gynecologists (2). The revision added clarifiers to help determine what should be considered a live birth:

“Live Birth” means the complete expulsion or extraction from its mother of a product of human conception, irrespective of the duration of pregnancy, which, after such expulsion or extraction, breathes, or shows any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles, whether or not the umbilical cord has been cut or the placenta is attached. Heartbeats are to be distinguished from transient cardiac contractions; respirations are to be distinguished from fleeting respiratory efforts or gasps.

Forty-eight of the registration areas use a definition of live birth that is very similar to this definition, five areas use a shortened definition of live birth, and four registration areas have no formal definition of live birth.

Current live birth reporting requirements

All States require the reporting of a live birth regardless of length of gestation or weight.

Current definitions of fetal death in the United States

The 1992 Revision of the Model State Vital Statistics Act and Regulations (1) recommends the following definition of fetal death. This definition is based on the definition promulgated by the World Health Organization in 1950 and revised in 1988 by a working group formed by the American Academy of Pediatrics and the American College of Obstetricians and Gynecologists (2). The revision added clarifiers to help determine what is to be considered a fetal death:

“Fetal death” means death prior to the complete expulsion or extraction from its mother of a product of human conception, irrespective of the duration of pregnancy and which is not an induced termination of pregnancy. The death is indicated by the fact that after such expulsion or extraction, the fetus does not breathe or show any other evidence of life, such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles. Heartbeats are to be distinguished from transient cardiac contractions; respirations are to be distinguished from fleeting respiratory efforts or gasps.

Forty-one areas use a definition very similar to this definition, thirteen areas use a shortened definition of fetal death, and three areas have no formal definition of fetal death.

Current fetal death reporting requirements

The 1992 Revision of the Model State Vital Statistics Act and Regulations (1) recommends the following reporting requirement for fetal death:

“Each fetal death of 350 grams or more, or if weight is unknown, of 20 completed weeks gestation or more, calculated from the date last normal menstrual period began to the date of delivery, which occurs in this state shall be reported within 5 days after delivery to the (Office of Vital Statistics) or as otherwise directed by the State Registrar.”

Eleven areas report all periods of gestation as a fetal death; 25 areas report gestation periods of 20 weeks or more; 13 areas specify birthweight of 350 grams or more or 20 weeks of gestation or more; 1 area specifies 20 weeks or more or birthweight of 400 grams or more; 1 area specifies 20 weeks or more or birthweight of 500 grams or more; 1 area specifies birthweight of 350 grams or more; 3 areas specify birthweight of 500 grams or more; 1 area specifies 16 weeks of gestation or more; and 1 area specifies 5 months of gestation or more.

The specific fetal death reporting requirements by registration area are listed as follows:

All products of human conception:

American Samoa
Arkansas
Colorado
Georgia
Hawaii
New York City

New York State
Northern Mariana Islands
Rhode Island
Virginia
Virgin Islands

20 weeks of gestation or more:

Alabama
Alaska
California
Connecticut
Florida
Illinois
Indiana
Iowa
Maine
Maryland
Minnesota
Nebraska
Nevada

New Jersey
North Carolina
North Dakota
Ohio
Oklahoma
Oregon
Texas
Utah
Vermont
Washington
West Virginia
Wyoming

Birthweight of 350 grams or more or 20 weeks of gestation or more:

Arizona	Mississippi
Delaware	Missouri
Guam	Montana
Idaho	New Hampshire
Kentucky	South Carolina
Louisiana	Wisconsin
Massachusetts	

Gestation of 20 weeks or more or birthweight of 400 grams or more:

Michigan

Gestation of 20 weeks or more or birthweight of 500 grams or more:

District of Columbia

Birthweight of 350 grams or more:

Kansas

Birthweight of 500 grams or more:

New Mexico
South Dakota
Tennessee

Gestation of 16 weeks or more:

Pennsylvania

Gestation of 5 months or more:

Puerto Rico

NOTES: Maryland requirements stipulate that a fetal death certificate shall be filed if gestation period is unknown but fetus weighs 500 grams or more. In Vermont fetal deaths are reported if gestational age is unknown, but a weight of 400 grams or more or 15 ounces or more is recorded. In Tennessee a report is filed if no weight is recorded, but 22 completed weeks of gestation or more is recorded.

Current definitions of induced termination of pregnancy in the United States

The 1992 Revision of the Model State Vital Statistics Act and Regulations (1) includes the following definition of induced termination of pregnancy:

“Induced termination of pregnancy” means the purposeful interruption of an intrauterine pregnancy with the intention other than to produce a live-born infant and which does not result in a live birth. This definition excludes management of prolonged retention of products of conception following fetal death.

Forty-five registration areas have a separate definition of ITOP. Of these areas, 20 use a definition that is very similar to this definition. Thirteen of the registration areas have no formal definition of ITOP.

Current induced termination of pregnancy reporting requirements

The 1992 Revision of the Model State Vital Statistics Act and Regulations (1) recommends the following reporting requirement for ITOP:

“Each induced termination of pregnancy which occurs in this state, regardless of the length of gestation, shall be reported to the (Office of Vital Statistics) within 5 days by the person in charge of the institution in which the induced termination of pregnancy was performed.”

The report of ITOP is a statistical report to be used for medical and health purposes and is not incorporated into the official vital records file.

A standard form for reporting of ITOP was recommended by the Technical Consultant Panel on Revision of the Standard Certificates beginning in 1978, and was revised in 1989. In those States requiring the reporting of information on ITOP, the methods used to collect the data vary. In the majority of the States, a separate form has been developed for reporting of induced terminations. Reports of ITOP are not legal records and are not maintained permanently in the files of the State office of vital statistics. However, the data they provide are very important from a demographic and public health viewpoint.

Forty-eight of the registration areas have mandatory reporting systems, four areas have voluntary reporting, and five areas have no reporting system.

Type of reporting system used for induced termination of pregnancy

Mandatory reporting system

Alabama	Maine	Ohio
Arizona	Massachusetts	Oklahoma
Arkansas	Michigan	Oregon
Colorado	Minnesota	Pennsylvania
Connecticut	Mississippi	Rhode Island
Delaware	Missouri	South Carolina
Florida	Montana	South Dakota
Georgia	Nebraska	Tennessee
Hawaii	Nevada	Texas
Iowa	New Jersey	Utah
Idaho	New Mexico	Vermont
Illinois	New York State	Virginia
Indiana	New York City	Washington
Kansas	North Carolina	West Virginia
Kentucky	North Dakota	Wisconsin
Louisiana	Northern Mariana Islands	Wyoming

Voluntary reporting system

Alaska	Maryland
District of Columbia	New Hampshire

No reporting system

In the following areas, some ITOP's may be reported as fetal deaths when the induced termination is performed after the gestational age when fetal death reporting is required.

American Samoa	Guam
California	Puerto Rico
Iowa	Virgin Islands

Type of reporting form used in States with mandatory reporting systems for induced terminations of pregnancy

Special form used regardless of gestational period

Alabama	Massachusetts	Oregon
Arkansas	Michigan	Pennsylvania
Colorado	Minnesota	Rhode Island
Delaware	Mississippi	South Carolina
Florida	Missouri	South Dakota
Georgia	Montana	Tennessee
Hawaii	Nebraska	Texas
Idaho	New Jersey	Utah
Illinois	New Mexico	Vermont
Indiana	New York State	Virginia
Iowa	New York City	Washington
Kansas	North Carolina	West Virginia
Kentucky	North Dakota	Wisconsin
Louisiana	Ohio	Wyoming
Maine	Oklahoma	

States that use a form to report induced terminations below specified gestational age and that use a form to report fetal death above specified gestational age

Arizona—20 weeks
Connecticut—20 weeks
Nevada—24 weeks

NOTES: Colorado and West Virginia use two forms: A log form used by clinics to report an ITOP as well as a special individual reporting form used by all other places where ITOP's are performed. In addition to using a special form, Georgia uses electronic software for paperless reporting of ITOP's. Massachusetts uses a form that is a facility-based monthly summary that does not identify individual patients.

State definitions and reporting requirements for live births, fetal deaths, and induced terminations of pregnancy

ALABAMA

Live birth defined:

Live Birth. The complete expulsion or extraction from the mother of a product of human conception, irrespective of the duration of pregnancy, which, after such expulsion or extraction, breathes, or shows any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles, whether or not the umbilical cord has been cut or the placenta is attached. Heartbeats are to be distinguished from transient cardiac contractions; respirations are to be distinguished from fleeting respiratory efforts or gasps. (Title 22-9A-1 (7))

Fetal death defined:

Fetal Death. Death prior to the complete expulsion or extraction from the mother of a product of human conception, irrespective of the duration of pregnancy and which is not an induced termination of pregnancy. The death is indicated by the fact that after the expulsion or extraction the fetus does not breathe or show any other evidence of life, such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles. Heartbeats are to be distinguished from transient cardiac contractions; respirations are to be distinguished from fleeting respiratory efforts or gasps. (Title 22-9A-1 (2))

When fetal death reporting is required:

A report of fetal death shall be filed with the Office of Vital Statistics, or as otherwise directed by the State Registrar, within five days after the occurrence is known if the fetus has advanced to, or beyond, the twentieth week of uterogestation. (Title 22-9A-13 (a))

Induced termination of pregnancy defined:

Induced termination of pregnancy. The purposeful interruption of an intrauterine pregnancy with the intention other than to produce a live-born infant and which does not result in a live birth. This definition excludes management of prolonged retention of products of conception following fetal death. (Title 22-9A-1 (5))

When induced termination of pregnancy reporting is required:

A report of induced termination of pregnancy for each induced termination of pregnancy which occurs in this state shall be filed with the Office of Vital Statistics, or as otherwise directed by the State Registrar, no later than 10 days after the last day of the month during which the procedure was performed. (Title 22-9A-13 (b))

ALASKA

Live birth defined:

“Live birth” means the complete expulsion or extraction from its mother of a product of human conception, irrespective of the duration of pregnancy, which, after such expulsion or extraction, breathes or shows evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles, whether or not the umbilical cord has been cut or the placenta is attached. (Section 18.50.950, Alaska Statutes)

Fetal death defined:

“Fetal death” means death before the complete expulsion or extraction from its mother of a product of human conception, irrespective of the duration of pregnancy, and the death is indicated by the fact that after expulsion or extraction the fetus does not breathe or show evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles. (Section 18.50.950, Alaska Statutes)

When fetal death reporting is required:

A fetal death certificate for each fetal death which occurs in the State shall be filed within three days after the delivery However, the filing of a certificate for a product of a pregnancy of less than 20 weeks may be determined by regulation. (Section 18.50.240, Alaska Statutes)

Any product of gestation of less than 20 weeks duration of pregnancy, showing no evidence of life, may have a fetal death certificate prepared, filed, recorded, and registered as required above at the option of the parents or others concerned; such certificate is not mandatory for fetal deaths with a duration of pregnancy of less than 20 weeks. (Regulation number 65, adopted July 25, 1960, effective August 24, 1960)

Induced termination of pregnancy defined:

Induced Termination of Pregnancy (Abortion) is defined as an operation or procedure to terminate the pregnancy of a nonviable fetus. (Section 18.16.010, Alaska Statutes)

Nonviable fetus for this purpose is defined as a fetus of 150 or less gestational days. (12 Alaska Administrative Code, 40, 140)

When induced termination of pregnancy reporting is required:

Reporting is required only when it falls under the requirement of fetal death reporting, i.e., for any product of gestation of 20 weeks or more. The appropriate form is the fetal death certificate. (Section 18.50.240, Alaska Statutes) A program exists for voluntary reporting of abortions of less than 20 weeks gestation.

AMERICAN SAMOA

Live birth defined:

Live birth is the complete expulsion or extraction from its mother of a product of conception, 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 definite movement of voluntary muscles, whether or not the umbilical cord has been cut or the placenta is attached; each product of such a birth is considered "live-born." (Based on letter from the Acting Governor, August 1965, and verified March 1974)

Fetal death defined:

Fetal death is death prior to the complete expulsion or extraction from its mother of a product of conception, irrespective of the duration of pregnancy; the death is indicated by the fact that after such separation the fetus does not breathe or show any other evidence of life, such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles. (Based on letter from the Acting Governor, August 1965, and verified March 1974)

When fetal death reporting is required:

Fetal death registration is required regardless of the period of gestation. (Based on letters from the Acting Governor, July 1965 and August 1965, and verified March 1974)

Induced termination of pregnancy defined:

No response received.

When induced termination of pregnancy reporting is required:

No response received.

NOTES: No response was received for updating this publication. The information provided appears in the 1981 revision of *State Definitions and Reporting Requirements for Live Births, Fetal Deaths, and Induced Terminations of Pregnancy*.

ARIZONA

Live birth defined:

“Live birth” means the complete expulsion or extraction from its mother of a product of human conception, irrespective of the duration of pregnancy, which, after such expulsion or extraction, breathes or shows any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles, whether or not the umbilical cord has been cut or the placenta is attached. (Section 36-301, paragraph 6 ARS, Added Laws 1967, effective January 1, 1968)

Fetal death defined:

“Fetal death” means death prior to the complete expulsion or extraction from its mother of a product of human conception, irrespective of the duration of pregnancy. The death is indicated by the fact that after such expulsion or extraction the fetus does not breathe or show any evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles. (Section 36-301, paragraph 2, ARS, Added Laws 1967, effective January 1, 1968)

When fetal death reporting is required:

A fetal death certificate for each fetal death occurring in this State after a gestation period of twenty completed weeks or more shall be filed with the designated registrar. (Sec. 36-329, ARS, Added Laws 1967, effective January 1, 1968) For purposes of preparing fetal death certificates, if the gestation period is uncertain, or unknown, a certificate should be filed if the fetus weighs 350 grams or more. Any abortifacient act resulting in a fetal death, when the length of gestation is more than 20 weeks, shall also require the filing of a fetal death certificate. (A.C.R.R. R9-19-302)

Induced termination of pregnancy defined:

For the purpose of these regulations, an abortifacient act means a procedure or procedures by which an abortion is induced and completed. Since these can be medical or surgical, the term “abortifacient act” refers to either or both. (A.C.R.R. R9-19-302)

When induced termination of pregnancy reporting is required:

A termination of pregnancy report shall be prepared by the attending physician and filed directly with the state registrar reporting any fetal death due to an abortifacient act for which a fetal death certificate is not required. (A.C.R.R. R9-19-302)

ARKANSAS

Live birth defined:

“Live Birth” means the complete expulsion or extraction from its mother of a product of human conception, irrespective of the duration of pregnancy, which, after the expulsion or extraction, breathes or shows any other evidence of life such as beating of the heart, pulsation of the umbilical cord or definite movement of voluntary muscles, whether or not the umbilical cord has been cut or the placenta is attached. Heartbeats shall be distinguished from transient cardiac contractions; respirations shall be distinguished from fleeting respiratory efforts or gasps. (Arkansas Vital Statistics Act of 1995, Act number 1254, Section 1 (8))

Fetal death defined:

“Fetal Death” means death prior to the complete expulsion or extraction from its mother of a product of human conception, irrespective of the duration of pregnancy and which is not an induced termination of pregnancy. The death is indicated by the fact that after the expulsion or extraction, the fetus does not breathe or show any other evidence of life such as beating of the heart, pulsation of the umbilical cord or definite movement of voluntary muscles. Heartbeats shall be distinguished from the transient cardiac contractions; respirations shall be distinguished from fleeting respiratory efforts or gasps. (Arkansas Vital Statistics Act of 1995, Act number 1254, Section 1 (9))

“Spontaneous fetal death”, “stillbirth”, or “miscarriage” means the expulsion or extraction of a product of human conception resulting in other than a live birth and which is not an induced termination of pregnancy. (Arkansas Vital Statistics Act of 1995, Act number 1254, 1 (9) (A))

When fetal death reporting is required:

Each fetal death where the fetus weighs three hundred fifty (350) grams or more, or if weight is unknown, the fetus completed twenty (20) weeks gestation or more, calculated from the date last normal menstrual period began to the date of delivery, that occurs in this state shall be reported within five (5) days after delivery to the Division of Vital Records or as otherwise directed by the State Registrar. (Arkansas Vital Statistics Act of 1995, Act number 1254, Section 27, (a) (1))

Spontaneous fetal deaths where the fetus has completed less than twenty (20) weeks of gestation and where the fetus weighs less than three hundred fifty (350) grams shall be reported as prescribed. (Arkansas Vital Statistics Act of 1995, Act number 1254, Section 27, (a) (2).)

Induced termination of pregnancy defined:

“Induced termination of pregnancy” means the purposeful interruption of pregnancy with the intention other than to produce a live-born infant, and which does not result in a live birth, except that this definition excludes management of prolonged retention of products of conception following fetal death. (Arkansas Vital Statistics Act of 1995, Act number 1254, Section 1, (9) (B))

When induced termination of pregnancy reporting is required:

Each induced termination of pregnancy which occurs in this State, regardless of the length of gestation, shall be reported to the Division of Vital Statistics within five (5) days by the person in charge of the institution in which the induced termination of pregnancy was performed. (Arkansas Vital Statistics Act of 1995, Act number 1254, Section 27, (b))

CALIFORNIA

Live birth defined:

“Live Birth” means the complete expulsion or extraction from its mother of a product of conception (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 definite movement of voluntary muscles, whether or not the umbilical cord has been cut or the placenta is attached. (California Code of Regulations, Title 17, Section 915)

Fetal death defined:

“Fetal death” means a death prior to complete expulsion or extraction from its mother of a product of conception (irrespective of the duration of pregnancy); the death is indicated by the fact that after such separation, the fetus does not breathe or show any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles. Registration of fetal deaths is subject to the provisions of Division 9, Chapter 4 of the Health and Safety Code. (California Code of Regulations, Title 17, Section 916)

When fetal death reporting is required:

Each fetal death in which the fetus has advanced to or beyond the twentieth week of uterogestation shall be registered with the local registrar of births and deaths of the district in which the fetal death was officially pronounced within eight calendar days following the event and prior to any disposition of the fetus. (Section 10175, Health and Safety Code)

Induced termination of pregnancy defined:

Not defined in statute.

When induced termination of pregnancy reporting is required:

Not required.

COLORADO

Live birth defined:

Live Birth is the complete expulsion or extraction from its mother of a product of human conception, 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 definite movement of voluntary muscles, whether or not the umbilical cord has been cut or the placenta is attached; each product of such a birth is considered live-born. (By administrative policy)

Fetal death defined:

Fetal death means death prior to the complete expulsion or extraction from its mother of a product of human conception, irrespective of the duration of pregnancy; the death is indicated by the fact that after such expulsion or extraction, the fetus does not breathe or show any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles. (Title 25-2-102 (2), Colorado Revised Statutes, 1973.)

When fetal death reporting is required:

Under the definition set forth above, a fetal death certificate must be filed for every product of gestation, irrespective of the period of gestation.

Induced termination of pregnancy defined:

Inferred from definition of fetal death.

When induced termination of pregnancy reporting is required:

All products of conception—inferred from preceding definition of fetal death.

CONNECTICUT

Live birth defined:

A live birth is the complete expulsion or extraction from its mother of a product of conception, 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 definite movement of voluntary muscles, whether or not the umbilical cord has been cut or the placenta is attached. (*Manual of Procedures for Registrars of Vital Statistics*, p.13, April, 1951)

Fetal death defined:

A stillbirth (fetal death) is death prior to the complete expulsion or extraction from its mother of a product of conception, irrespective of the duration of pregnancy, which after such separation, does not breathe or show any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles. (*Manual of Procedures for Registrars of Vital Statistics*, p. 21, April, 1951)

When fetal death reporting is required:

A fetus born after a period of gestation of not less than twenty weeks, in which fetus there is no attempt at respiration, no action of heart and no movement of voluntary muscle, shall be recorded as a fetal death. (Section 7-60, Connecticut General Statutes Annotated 1979 Revision)

Induced termination of pregnancy defined:

Not defined in statute.

When induced termination of pregnancy reporting is required:

All induced abortions will be reported within seven days by the physician performing the procedure to the state commissioner of health who will maintain such reports in a confidential file and use them only for statistical purposes except in cases involving licensure. (Section 19-13-D54, Connecticut Public Health Code)

DELAWARE

Live birth defined:

“Live birth” is defined as the complete expulsion or extraction from its mother of a product of conception (irrespective of the duration of pregnancy) which, after such separation, breathes or shows any other evidence of life such as beating of the heart, pulsations of the umbilical cord or definite movement of voluntary muscles, whether or not the umbilical cord has been cut or the placenta is attached. Heartbeats are to be distinguished from transient cardiac contractions; respirations are to be distinguished from fleeting respiratory efforts or gasps. (Title 16, Section 3101, Delaware Code Annotated)

Fetal death defined:

“Spontaneous fetal death” or “stillborn fetus” is defined as a spontaneous death (i.e., not an induced termination of pregnancy) prior to the complete expulsion or extraction from its mother of a product of conception. The death is indicated by the fact that after such separation, the fetus does not breathe or show any other evidence of life such as beating of the heart, pulsation of the umbilical cord or definite movement of voluntary muscles. Heartbeats are to be distinguished from transient cardiac contractions; respirations are to be distinguished from fleeting respiratory efforts or gasps. (Title 16, Section 3101, Delaware Code Annotated)

When fetal death reporting is required:

Each spontaneous fetal death of 350 grams or more, or in the absence of weight, of 20 completed weeks' gestation or more, calculated from the date the last normal menstrual period began to the date of delivery, which occurs in this State shall be reported within 3 days after delivery to the Office of Vital Statistics by filing a fetal death certificate. Induced terminations of pregnancy shall not be reported as spontaneous fetal deaths. (Title 16, Section 3124, Delaware Code Annotated)

Induced termination of pregnancy defined:

“Induced termination of pregnancy” means the purposeful interruption of an intrauterine pregnancy with the intention other than to produce a live-born infant, and which does not result in a live birth. This definition excludes management of prolonged retention of products of conception following fetal death. (Title 16, Section 3101, Delaware Code Annotated, effective January 1, 1997)

When induced termination of pregnancy reporting is required:

Each induced termination of pregnancy which occurs in this state, regardless of the length of gestation, shall be reported to the Delaware Health Statistics Center within the Bureau of Health Planning and Resources Management by the person in charge or a designated representative of the institution or abortion facility in which the induced termination of pregnancy was performed. If the induced termination of pregnancy was performed outside an institution or abortion facility, the attending physician shall prepare and file the report. Such reporting shall occur within 30 days after the end of the month in which the induced termination of pregnancy was performed. (Title 16, Section 3133, Delaware Code Annotated, effective January 1, 1997)

DISTRICT OF COLUMBIA

Live birth defined:

“Live birth” means the complete expulsion or extraction from its mother of a product of human conception, irrespective of the duration of pregnancy, which, after such expulsion or extraction, breathes, or shows any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles, whether or not the umbilical cord has been cut or the placenta is attached. (Section 6-201, Vital Records Act of 1981)

Fetal death defined:

“Fetal death” means death prior to the complete expulsion or extraction from its mother of a product of conception, irrespective of the duration of pregnancy. The death is indicated by the fact that after such expulsion or extraction the fetus does not breathe or show any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles. The term “fetal death” does not include an induced termination of pregnancy. (Section 6-201, Vital Records Act of 1981)

When fetal death reporting is required:

Each fetal death of 20 completed weeks gestation or more, calculated from the date that the last normal menstrual period began to the date of delivery, or a weight of 500 grams or more, which occurs in the District shall be reported, as directed by the Registrar within 5 days after occurrence. (Section 6-213, Vital Records Act of 1981)

Induced termination of pregnancy defined:

Not defined in statute.

When induced termination of pregnancy reporting is required:

A voluntary report of an ITOP shall be made after 20 weeks gestation.

FLORIDA

Live birth defined:

“Live Birth” means the complete expulsion or extraction of a product of human conception from its mother, irrespective of the duration of pregnancy, which, after such expulsion, breathes or shows any other evidence of life such as beating of the heart, pulsation of the umbilical cord, and definite movement of the voluntary muscles, whether or not the umbilical cord has been cut or the placenta is attached. (Section 382.002 (10), F.S., 1993)

Fetal death defined:

“Fetal death” means death prior to the complete expulsion or extraction of a product of human conception from its mother, if the twentieth week of gestation has been reached and the death is indicated by the fact that after such expulsion or extraction, the fetus does not breathe or show any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles. (Section 382.002 (7), F.S., 1993)

When fetal death reporting is required:

A certificate for each fetal death which occurs in this state, shall be registered with the local registrar of the district in which the death occurred within five days after such death and prior to final disposition or removal of the fetus from the state, and shall be registered by such registrar if it has been completed and filed in accordance with this chapter. (Section 382.008, F.S., 1993)

Induced termination of pregnancy defined:

“Abortion” means the termination of human pregnancy with an intention other than to produce a live birth or to remove a dead fetus. (Section 390.011 (1), F.S., 1993)

When induced termination of pregnancy reporting is required:

The director of any medical facility in which any pregnancy is terminated shall submit a monthly report which contains the number of procedures performed, the reason for same, and the period of gestation at the time such procedures were performed to the Department of Health and Rehabilitative Services. (Section 390.002 (1), F.S., 1993)

If the termination of pregnancy is not performed in a medical facility, the physician performing the procedure shall be responsible for reporting such information as required in subsection (1). (Section 390.002 (2), F.S., 1993)

GEORGIA

Live birth defined:

“Live birth” means the complete expulsion or extraction from its mother of a product of human conception, irrespective of the duration of pregnancy, which, after such expulsion or extraction, breathes, or shows any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles, whether or not the umbilical cord has been cut or the placenta is attached. (Title 31-10-1 (9) enacted by Ga. L. 1982)

Fetal death defined:

“Fetal death” means death prior to the complete expulsion or extraction from its mother of a product of human conception, irrespective of the duration of pregnancy; the death is indicated by the fact that after such expulsion or extraction the fetus does not breathe or show any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles. (Title 31-10-1 (4) enacted by Ga. L. 1982)

“Spontaneous fetal death” means the expulsion or extraction of a product of human conception resulting in other than a live birth and which is not an induced termination of pregnancy. (Title 31-10-1 (15) enacted by Ga. L. 1982)

When fetal death reporting is required:

A report of spontaneous fetal death for each spontaneous fetal death which occurs in this state shall be filed with the local registrar of the county in which the delivery occurred within 72 hours after such delivery in accordance with this Code section unless the place of fetal death is unknown, in which case a fetal death certificate shall be filed in the county in which the dead fetus was found within 72 hours after such occurrence. (Title 31-10-18 (a) enacted by Ga. L. 1982)

Induced termination of pregnancy defined:

“Induced termination of pregnancy” means the purposeful interruption of pregnancy with the intention other than to produce a live-born infant or to remove a dead fetus and which does not result in a live birth. (Title 31-10-1 (7) enacted by Ga. L. 1982)

When induced termination of pregnancy reporting is required:

Each induced termination of pregnancy which occurs in this state, regardless of the length of gestation or weight, shall be reported directly to the department within ten days by the person in charge of the institution or clinic, or designated representative, in which the induced termination of pregnancy was performed. If the induced termination of pregnancy was performed outside an institution or clinic, the attending physician shall prepare and file the report within the time specified by this Code section. (Title 31-10-19 enacted by Ga. L. 1982)

GUAM

Live birth defined:

“Live Birth” means the complete expulsion or extraction from its mother of a product of human conception, irrespective of the duration of the pregnancy which, after such expulsion or extraction, breathes or shows any other evidence of life such as beating of the heart, pulsation of the umbilical cord or definite movement of the voluntary muscles, whether or not the umbilical cord has been cut or the placenta is attached. (Public Law 22-130, Chapter 3, Division of Public Health)

Fetal death defined:

“Fetal Death” means death prior to the complete expulsion or extraction from its mother of a product of human conception, irrespective of the duration of pregnancy; the death is indicated by the fact that after such expulsion or extraction the fetus does not breathe or show any other evidence of life such as beating of the heart, pulsation of umbilical cord, or definite movement of voluntary muscles. (Public Law 22-130, Chapter 3, Division of Public Health)

When fetal death reporting is required:

A fetal death report for each fetal death which occurs in Guam after twenty (20) completed weeks of gestation or more or when fetus weighs three hundred fifty (350) grams or more, shall be filed with the Office of Vital Statistics within twenty-four (24) hours after such delivery . . . (Section 3217, PL-22-130, Chapter 3, Division of Public Health, Revised October 1, 1994).

Induced termination of pregnancy defined:

Not defined in statute.

When induced termination of pregnancy reporting is required:

Not required.

HAWAII

Live birth defined:

Live birth is the complete expulsion or extraction from its mother of a product of conception that did, after the complete expulsion or extraction from its mother, breathe or show any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or movement of voluntary muscle, whether or not the umbilical cord was cut or the placenta attached. (Section 338-1, Hawaii Revised Statutes)

Fetal death defined:

Fetal death is death prior to the complete expulsion or extraction from its mother of a product of conception, irrespective of the duration of pregnancy, that did not, after complete separation from the mother, breathe or show any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or movement of voluntary muscle. (Section 338-1, Hawaii Revised Statutes)

When fetal death reporting is required:

A certificate of every death or fetal death shall be filed with the department of health in Honolulu or with the local agent of the department of health in the district in which the death or fetal death occurred or a dead body was found within three days after the death or fetal death occurred or the dead body was found. (Section 338-8, Hawaii Revised Statutes)

Induced termination of pregnancy defined:

No formal definition of ITOP in law or regulations. Present definition of fetal death covers this category.

When induced termination of pregnancy reporting is required:

Same requirement as for fetal deaths.

IDAHO

Live birth defined:

“Live Birth” means the complete expulsion or extraction from its mother of a product of human conception, irrespective of the duration of pregnancy, which, after such expulsion or extraction, breathes, or shows any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles, whether or not the umbilical cord has been cut or the placenta is attached. (Title 39, Chapter 2, Section 39-241 (b), Idaho Code)

Fetal death defined:

“Stillbirth” means a spontaneous fetal death of twenty (20) completed weeks gestation or more, calculated from the date the last normal menstrual period began to the date of delivery, or a weight of three hundred and fifty (350) grams (twelve and thirty-five hundredths (12.35) ounces) or more. (Title 39, Chapter 2, Section 39-241 (d), Idaho Code)

When fetal death reporting is required:

From the definition set forth above, fetal death reporting is required “after 20 weeks gestation or at a birth weight of 350 grams or more.”

Induced termination of pregnancy defined:

“Induced termination of pregnancy (induced abortion)” means the purposeful interruption of pregnancy with an intention other than to produce a live-born infant or to remove a dead fetus and which does not result in a live birth. (Title 39, Chapter 2, Section 39-241 (c) (1), Idaho Code)

When induced termination of pregnancy reporting is required:

Reporting of all ITOP’s is required.

ILLINOIS

Live birth defined:

“Live birth” means the complete expulsion or extraction from its mother of a product of human conception, 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 definite movement of voluntary muscles, whether or not the umbilical cord has been cut or the placenta is attached. (410 ILCS 535/5, Smith-Hurd Annotated Statutes)

Fetal death defined:

“Fetal death” means death prior to the complete expulsion or extraction from its mother of a product of human conception, irrespective of the duration of pregnancy; the death is indicated by the fact that after such separation the fetus does not breathe or show any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles. (410 ILCS 535/6, Smith-Hurd Annotated Statutes)

When fetal death reporting is required:

Each fetal death which occurs in this State after a gestation period of 20 completed weeks or more shall be registered . . . (410 ILCS 535/20, Smith-Hurd Annotated Statutes)

Induced termination of pregnancy defined:

“Pregnancy termination” means the use of any instrument, medicine, drug or other substance or any device to terminate the pregnancy of a woman known to be pregnant with an intention other than to increase the probability of a live birth, to preserve the life or health of the child after live birth, or to remove a dead fetus. (77 ILL. Adm. Code 505.30)

When induced termination of pregnancy reporting is required:

All reports of Induced Termination of Pregnancy shall be submitted to the Department not later than 10 days following the end of the month in which the pregnancy termination was performed. (77 ILL. Adm. Code 505.40)

INDIANA

Live birth defined:

“Live birth” or “birth” means the birth of a child who shows evidence of life after the child is entirely outside of the mother. (IC 16-18-2-205)

Evidences of Life: Breathing or gasping or heart action, including pulsation of the umbilical cord or movement of voluntary muscles are considered evidence of life. (*Manual for Local Registrars, Definitions, 1997*)

Fetal death defined:

“Stillbirth” means a birth after 20 weeks of gestation which is not a live birth. (IC 16-18-2-341)

Fetal Death (Stillbirth): A fetus of 20 weeks or more gestation that shows no signs of life after complete birth.

When fetal death reporting is required:

No certificate is required for a fetus of less than twenty (20) weeks uterogestation that shows no evidence of life. (*Manual for Local Registrars, Definitions, 1997*)

Induced termination of pregnancy defined:

The term “abortion” means the termination of human pregnancy with an intention other than to produce a live birth or to remove a dead fetus. (IC 16-18-2-1)

When induced termination of pregnancy reporting is required:

All events shall be reported.

IOWA

Live birth defined:

“Live birth” means the complete expulsion or extraction from its mother of a product of human conception, irrespective of the duration of pregnancy, which, after such expulsion or extraction, breathes or shows any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles, whether or not the umbilical cord has been cut or the placenta is attached. (Section 144.1.9)

Fetal death defined:

“Fetal death” means death prior to the complete expulsion or extraction from its mother of a product of human conception, irrespective of the duration of pregnancy. Death is indicated by the fact that after expulsion or extraction the fetus does not breathe or show any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles. (Section 144.1.5)

When fetal death reporting is required:

A fetal death certificate for each fetal death which occurs in this state after a gestation period of twenty (20) completed weeks or more shall be filed with the county registrar of the county in which the delivery of the dead fetus occurs, within three days after delivery and prior to final disposition of the fetus.

Induced termination of pregnancy defined:

Inducing a termination of pregnancy means the use of any means to terminate the pregnancy of a woman known to be pregnant with the intent other than to produce a live birth or to remove a dead fetus. (Senate File 128, effective July 1, 1997)

When induced termination of pregnancy reporting is required:

The health care provider who initially identifies and diagnoses a spontaneous termination of pregnancy or who induces a termination of pregnancy shall file with the department a report for each termination within thirty days of the occurrence. (Senate File 128, effective July 1, 1997)

KANSAS

Live birth defined:

“Live birth” means the complete expulsion or extraction from its mother of a product of human conception, irrespective of the duration of pregnancy, which, after such expulsion or extraction, breathes or shows any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles, whether or not the umbilical cord has been cut or the placenta is attached. (K.S.A. 1995 Supplement 65-2401, Subsection (2), amended and effective July 1, 1995)

Fetal death defined:

“Stillbirth” means any complete expulsion or extraction from its mother of a product of human conception the weight of which is in excess of 350 grams, irrespective of the duration of pregnancy, resulting in other than a live birth as defined in this act and which is not an induced termination of pregnancy. (K.S.A. 1995 Supplement 65-2401, Subsection (3), amended and effective July 1, 1995)

When fetal death reporting is required:

A death certificate or stillbirth certificate for each death or stillbirth which occurs in this state shall be filed with the state registrar within three days after such death and prior to removal of the body from the state and shall be registered by the state registrar if such death certificate or stillbirth certificate has been completed and filed in accordance with this section. (From the definition set forth above, fetal death reporting is required when the extracted fetus weighs in excess of 350 grams and the procedure was not an induced termination of pregnancy.) (K.S.A. 1995 Supplement 65-2412, Subsection (a), amended and effective July 1, 1995)

Induced termination of pregnancy defined:

“Induced termination of pregnancy” means the purposeful interruption of pregnancy with the intention other than to produce a live-born infant or to remove a dead fetus and which does not result in a live birth. (K.S.A. 1995 Supplement 65-2401, Subsection (4), amended and effective July 1, 1995)

When induced termination of pregnancy reporting is required:

Every medical care facility shall keep written records of all pregnancies which are lawfully terminated within such medical care facility and shall annually submit a written report thereon to the secretary of health and environment in the manner and form prescribed by the secretary. Every person licensed to practice medicine and surgery shall keep a record of all pregnancies which are lawfully terminated by such person in a location other than a medical care facility and shall annually submit a written report thereon to the secretary of health and environment in the manner and form prescribed by the secretary. (K.S.A. 1995 Supplement 65-445, Subsection (a), amended and effective July 1, 1995)

KENTUCKY

Live birth defined:

“Live birth” means the complete expulsion or extraction from its mother of a product of human conception, irrespective of the duration of pregnancy which, after the expulsion or extraction, breathes, or shows any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles, whether or not the umbilical cord has been cut or the placenta is attached. (Kentucky Revised Statute 213.011 (8), effective July 13, 1990).

Fetal death defined:

Fetal death means death prior to the complete expulsion or extraction from its mother of a product of human conception, irrespective of the duration of pregnancy; the death is indicated by the fact that after expulsion or extraction the fetus does not breathe or show any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles. This definition shall exclude induced termination of pregnancy. (Kentucky Revised Statute 213.011 (3), effective July 13, 1990).

When fetal death reporting is required:

Each fetal death of twenty (20) completed weeks’ gestation or more calculated from the date of last normal menstrual period began to the date of delivery or in which the fetus weighs three hundred fifty (350) grams or more, shall be reported on a combination birth-death certificate. (Kentucky Revised Statute 213.096, effective July 13, 1990).

Induced termination of pregnancy defined:

“Induced termination of pregnancy” means the purposeful interruption of pregnancy with the intention other than to produce a live-born infant or to remove a dead fetus and which does not result in a live birth. This definition shall exclude management of prolonged retention of product of conception following fetal death. (Kentucky Revised Statute 213.011 (6), revised July 13, 1990).

When induced termination of pregnancy reporting is required:

Each induced termination of pregnancy regardless of the length of gestation, shall be reported to the Office of Vital Statistics by the person in charge of the institution within fifteen (15) days after the end of the month in which the termination occurred. If the induced termination of pregnancy was performed outside an institution, the attending physician shall prepare and file the report within fifteen (15) days after the end of the month in which the termination occurred. The report shall collect no information which will identify the physician, woman, or man involved. The name of the person completing the report and the reporting institution shall not be subject to disclosure under Kentucky revised Statute 61.870 to 61.884. (Kentucky Revised Statute 213.101, effective July 13, 1990).

LOUISIANA

Live birth defined:

“Live birth” means a birth in which the child shows evidence of life after complete birth. A birth is complete when the child is entirely outside the mother, even if the umbilical cord is uncut and the placenta still attached. The words evidence of life include heart action, breathing, or movement of voluntary muscles. (Title 40-32,2)

Fetal death defined:

“Fetal death” means death prior to the complete expulsion or extraction from its mother of a product of human conception, irrespective of the duration of pregnancy; the death is indicated by the fact that after such expulsion or extraction the fetus does not breathe or show any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles. (Title 40-32,6)

“Spontaneous fetal death” (stillbirth) means the expulsion or extraction of a product of human conception resulting in other than a live birth and when the expulsion or extraction is not the result of an induced termination of pregnancy. (Title 40-32,8)

When fetal death reporting is required:

Reporting of fetal deaths is required for each death of at least 20 weeks gestation or 350 grams. (Reference, Title 40-47A)

Induced termination of pregnancy defined:

“Induced termination of pregnancy” (abortion) means the purposeful interruption of pregnancy with the intention other than to produce a live-born infant or to remove a dead fetus and if such interruption does not result in a live birth. (Title 40-32,7)

When induced termination of pregnancy reporting is required:

Each induced termination of pregnancy which occurs in this state shall be reported to the Vital Records Registry within 15 days. (Reference, Title 40-48B)

MAINE

Live birth defined:

“Live born” and “live birth” as used in this chapter, shall mean a product of conception after complete expulsion or extraction from its mother, irrespective of the duration of pregnancy, which breathes or shows any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles, whether or not the umbilical cord has been cut or the placenta is attached. Each product of such a birth is considered live born and fully recognized as a human person under Maine law. (22 MRSA, Section 1595)

Fetal death defined:

“Fetus” means a product of conception dead prior to the complete expulsion or extraction from its mother; the fetus shows no signs of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles. (10-146 CMR 5, revised 1991)

“Miscarriage” means an interruption of a pregnancy other than (an abortion as defined below) . . . of a fetus of less than 20 weeks gestation. (22 MRSA, Section 1596)

When fetal death reporting is required:

Except as authorized by the department or as required under section 1596, a certificate of each death of a fetus of 20 or more weeks of gestation which occurs in this State shall be filed with the clerk of the municipality where the delivery occurred within 14 days after delivery and prior to removal of the fetus from the State. (22 MRSA, Section 2841)

A report of each miscarriage shall be made by the physician in attendance at or after the occurrence of the miscarriage to the Department of Human Services on forms prescribed by the department. These report forms shall contain all of the applicable information required on the certificate of fetal death in current use.

The report form shall be prepared and signed by the attending physician and transmitted to the department not later than 10 days following the end of the month in which the miscarriage occurs. (22 MRSA, Section 1596)

Induced termination of pregnancy defined:

“Abortion” means the intentional interruption of a pregnancy by the application of external agents, whether chemical or physical, or the ingestion of chemical agents with an intention other than to produce a live birth or to remove a dead fetus, regardless of the length of gestation. (22 MRSA, Section 1596)

When induced termination of pregnancy reporting is required:

A report of each abortion performed shall be made to the Department of Human Services on forms prescribed by the department. These report forms shall not identify the patient by name or otherwise and shall contain only the information requested on the United States Standard Report of Induced Termination of Pregnancy, published by the National Center for Health Statistics, dated January 1978, or any more recent revision of a standard report form. (22 MRSA, Section 1596)

MARYLAND

Live birth defined:

“Live Birth” means the complete expulsion or extraction from its mother of a product of human conception, irrespective of the period of gestation, which after such separation, breathes or shows any other evidence of life, such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscle, whether or not the umbilical cord has been cut or the placenta is attached. (Article 43, Section 14 (a) (4), Annotated Code of Maryland, 1971 edition, 1977 Supplement)

Fetal death defined:

“Fetal Death” means death prior to the complete expulsion or extraction from its mother of a product of human conception, irrespective of the duration of pregnancy; the death is indicated by the fact that after such separation, the fetus does not breathe or show any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles. (Article 43, Section 14 (a) (5), Annotated Code of Maryland, 1971 edition, 1977 Supplement)

When fetal death reporting is required:

A fetal death certificate for each fetal death which occurs in this state after a gestation period of twenty (20) completed weeks or more shall be filed . . . (Article 43, Section 21 (a), Annotated Code of Maryland, 1971 edition, 1977 Supplement)

If the gestation period is unknown but the fetus weighs 500 grams or more, a fetal death certificate shall be filed. (Regulation 10.03.01, adopted October 7, 1963, effective January 1, 1970)

Induced termination of pregnancy defined:

Maryland law does not define induced termination of pregnancy. An induced abortion is defined as the voluntary termination of a pregnancy prior to viability or 26 weeks gestation. The aforementioned is the generally accepted definition as used by the State’s medical professionals.

When induced termination of pregnancy reporting is required:

Reporting is requested on a voluntary basis on each induced abortion performed.

MASSACHUSETTS

Live birth defined:

Not defined in statute.

Fetal death defined:

As used in this section, “fetal death” means death prior to the complete expulsion or extraction from its mother of a fetus, irrespective of the duration of pregnancy, as indicated by the fact that after such expulsion or extraction the fetus does not breathe or show any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles. “Fetal death” does not include an abortion as defined in section twelve K of chapter one hundred and twelve. (CH. 111, Section 202)

When fetal death reporting is required:

When a fetal death occurs . . . if a fetus is of twenty weeks gestation or more or weight of three hundred and fifty grams or more, the physician in attendance shall prepare and transmit a report . . . (CH. 111, Section 202)

Induced termination of pregnancy defined:

Abortion: the knowing destruction of the life of an unborn child or the intentional expulsion or removal of an unborn child from the womb other than for the principal purpose of producing a live birth or removing a dead fetus. (CH. 112, Section 12 K)

When induced termination of pregnancy reporting is required:

Case specific reporting (CH. 112, Section 12 R) only when gestational age is 24 weeks or more; monthly summary reports (CH. 111, Section 25) are received from facilities, etc., indicating totals performed at any gestational age with additional statistical data.

MICHIGAN

Live birth defined:

“Live birth” means the complete expulsion or extraction from a pregnant woman of a product of human conception which, after such expulsion or extraction, shows any evidence of life, whether or not the umbilical cord has been cut or the placenta is attached. (Administrative rule 325.3201 (d), effective November 24, 1981)

Fetal death defined:

“Fetal death” means the death of a fetus which has completed at least twenty weeks gestation or weighs at least 400 grams. The definition shall conform in all other respects as closely as possible to the definition recommended by the federal agency responsible for vital statistics. (Act 368, P.A. 1978)

When fetal death reporting is required:

Under the definition set forth above, fetal death reporting is required when the extracted or expelled fetus has completed at least 20 weeks gestation or weighs at least 400 grams.

A fetal death occurring in this state shall be reported to the state registrar within five days after delivery. (Act 368, P.A. 1978)

Induced termination of pregnancy defined:

Induced termination of pregnancy is not defined. The statute defines abortion for the purposes of reporting.

“Abortion” means the purposeful induced termination of a human pregnancy. (Act 368, P.A. 1978)

When induced termination of pregnancy reporting is required:

A physician who performs an abortion shall report the performance of that procedure to the department . . . (Act 368, P.A. 1978)

MINNESOTA

Live birth defined:

“Live birth” shall mean the complete expulsion or extraction of a product of conception from his mother, irrespective of the duration of pregnancy, which after this separation shows any evidence of life, such as breathing, beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles, whether the umbilical cord has been cut or the placenta is attached. Each product of such a birth shall be considered liveborn. (4600.0100, Sub part 4, Health Department Rule)

Fetal death defined:

“Fetal death” shall mean death prior to the complete expulsion or extraction of a product of conception from his mother, irrespective of the duration of pregnancy. Death after such separation is indicated by the absence of any evidence of life, such as breathing, beating of the heart, pulsation of the umbilical cord, or definite movement of the voluntary muscles. (4600.0100, Sub part 3, Health Department Rule)

When fetal death reporting is required:

A fetal death report must be filed for the death of each fetus for whom 20 or more weeks of gestation have elapsed. (4600.1800, Health Department Rule)

Induced termination of pregnancy defined:

“Abortion” includes an act, procedure, or use of any instrument, medicine or drug which is supplied or prescribed for or administered to a pregnant woman and results in the termination of pregnancy. (Minnesota Statute 145.411, Subdivision 5. Abortion)

When induced termination of pregnancy reporting is required:

Mandatory reporting system.

MISSISSIPPI

Live birth defined:

“Live birth” means the complete expulsion or extraction from its mother of a product of human conception, irrespective of the duration of pregnancy, which, after such expulsion or extraction, breathes or shows any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles, whether or not the umbilical cord has been cut or the placenta is attached. (Rules governing the registration and certification of vital events, Mississippi State Board of Health, Revised, August 23, 1994, Rule 1 (13)).

Fetal death defined:

“Fetal death” means death prior to the complete expulsion or extraction from its mother of a product of human conception, irrespective of the duration of pregnancy; the death is indicated by the fact that after such expulsion or extraction the fetus does not breathe or show any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles. (Rules governing the registration and certification of vital events, Mississippi State Board of Health, Revised, August 23, 1994, Rule 1 (6)).

When fetal death reporting is required:

Each spontaneous fetal death of 20 completed weeks of gestation or more, calculated from the date the last normal menstrual period began to the date of delivery, or a weight of 350 grams or more, which occurs in this State shall be reported within five days after delivery to the State Registrar. (Rules governing the registration and certification of vital events, Mississippi State Board of Health, Revised, August 23, 1994, Rule 49).

Induced termination of pregnancy defined:

“Induced termination of pregnancy” means the intentional termination of pregnancy with the intention other than to produce a live-born infant or to remove a dead fetus. (Rules governing the registration and certification of vital events, Mississippi State Board of Health, Revised August 23, 1994, Rule 1 (9)).

When induced termination of pregnancy reporting is required:

Each induced termination of pregnancy which is performed in this state shall be reported to the State Registrar within five days by the person in charge of the institution in which the induced termination of pregnancy was performed. (Rules governing the registration and certification of vital events, Mississippi State Board of Health, Revised August 23, 1994, Rule 52).

MISSOURI

Live birth defined:

Live birth—The complete expulsion or extraction from its mother of a child, irrespective of the duration of pregnancy, which after such expulsion or extraction, breathes or shows any other evidence of life, such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles, whether or not the umbilical cord has been cut or the placenta is attached. (Section 193.015 (5), RSMO, 1994)

Fetal death defined:

Spontaneous fetal death—A noninduced death prior to the complete expulsion or extraction from its mother of a fetus, irrespective of the duration of pregnancy; the death is indicated by the fact that after such expulsion or extraction the fetus does not breathe or show any evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles. (Section 193.015 (7) and 193.165, RSMO, 1994)

When fetal death reporting is required:

From the above definition, fetal death registration is required for each spontaneous fetal death of twenty completed weeks of gestation or more or a weight of 350 grams or more. (Section 193.165, RSMO, 1994)

Induced termination of pregnancy defined:

Abortion—The intentional destruction of the life of an embryo or fetus in his or her mother's womb or the intentional termination of the pregnancy of a mother with an intention other than to increase the probability of a live birth or to remove a dead or dying unborn child. (Section 188.015 (1), RSMO, 1994)

When induced termination of pregnancy reporting is required:

An individual abortion report for each abortion performed or induced upon a woman shall be completed by her attending physician. (Section 188.052, RSMO, 1994)

MONTANA

Live birth defined:

“Live birth” means the complete expulsion or extraction from the mother as a product of conception, notwithstanding the duration of pregnancy. The birth is indicated by the fact that after expulsion or extraction, the child breathes or shows any other evidence of life, such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles. Heartbeats are distinguished from transient cardiac contractions. Respirations are distinguished from fleeting respiratory efforts or gasps. (Section 50-15-101, (7), Montana Code Annotated, January 1, 1996)

Fetal death defined:

“Fetal Death” means death of the fetus prior to the complete expulsion or extraction from its mother as a product of conception, notwithstanding the duration of pregnancy. The death is indicated by the fact that after expulsion or extraction, the fetus does not breathe or show any other evidence of life, such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles. Heartbeats are distinguished from transient cardiac contractions. Respirations are distinguished from fleeting respiratory efforts or gasps. (Section 50-15-101, (4), Montana Code Annotated, January 1, 1996)

When fetal death reporting is required:

A person in charge of disposition of a dead body or fetus that weighs at least 350 grams at death or, if the weight is unknown, has reached 20 completed weeks of gestation at death shall obtain personal data on the deceased or, in the case of a fetal death, on the parents that is required by the department from persons best qualified to supply the data and enter it on the death or fetal death certificate. (Section 50-15-403, (1), Montana Code Annotated, January 1, 1996)

Induced termination of pregnancy defined:

“Abortion” means the use or prescription of any instrument, medicine, drug, or other substance or device to intentionally terminate the pregnancy of a woman known to be pregnant, with an intention other than to increase the probability of a live birth, to preserve the life or health of the child after live birth, or to remove a dead fetus. (Section 50-20-104, (1), Montana Code Annotated, July 1, 1995)

When induced termination of pregnancy reporting is required:

Such facility shall, within 30 days after the abortion, file with the department a report upon a form prescribed by the department and certified by the custodian of the records or physician in charge of such facility setting forth all of the information required in subsections (1), (2), and (3) of this section, except such information as would identify any individual involved with the abortion. (Section 50-20-110, (4) Montana Code Annotated, July 1, 1995)

NEBRASKA

Live birth defined:

Live birth is the complete expulsion or extraction from its mother of a product of conception, irrespective of the duration of the 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 definite movement of voluntary muscles, whether or not the umbilical cord has been cut or the placenta is attached; each product of such a birth is considered live born.

Fetal death defined:

Fetal death is death prior to the complete expulsion or extraction from its mother of a product of conception, irrespective of the duration of pregnancy; the death is indicated by the fact that after such separation the fetus does not breathe or show any other evidence of life, such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles.

When fetal death reporting is required:

Such certificate shall not be required for a child that has not advanced to the twentieth week of gestation. (Section 71-606, Law of 1965)

Induced termination of pregnancy defined:

Abortion shall mean an act, procedure, device, or prescription administered to a woman known by the person so administering to be pregnant and performed with the intent and result of producing the premature expulsion, removal, or termination of the human life within the womb of the pregnant woman, except that in cases in which the unborn child's viability is threatened by continuation of the pregnancy, early delivery after viability shall not be construed as an abortion for the purposes of sections 28-325 to 28-345. (LB 316, 28-326, March 22, 1979)

When induced termination of pregnancy reporting is required:

The Bureau of Vital Statistics, Department of Health, shall establish an abortion reporting form, which shall be used for the reporting of every abortion performed or prescribed in this State. (Section 28-343, Nebraska Statutes 1979)

NEVADA

Live birth defined:

“Live birth” means a birth in which the child shows evidence of life after complete birth. A birth is complete when the child is entirely outside the mother, even if the cord is uncut and the placenta still attached. The words “evidence of life” include heart action, breathing, or coordinated movement of voluntary muscles. (Section 440.030, Revised Statutes)

Fetal death defined:

“Stillbirth” means a birth after at least 20 weeks of gestation, in which the child shows no evidence of life after complete birth. (Section 440.070, Revised Statutes)

When fetal death reporting is required:

From the definition above, fetal death reporting is required “after at least 20 weeks of gestation.”

Induced termination of pregnancy defined:

As used in NRS 442.250, unless the context requires otherwise, “abortion” means the termination of a human pregnancy with an intention other than to produce a live birth or to remove a dead fetus.

When induced termination of pregnancy reporting is required:

An abortion reporting form shall be completed by the physician or his staff for each abortion performed. (Article 3.1, Nevada State Board of Health Abortion Regulations)

NEW HAMPSHIRE

Live birth defined:

“Birth, Live” means the complete expulsion or extraction from its mother of a product of human conception, irrespective of the duration of pregnancy, which, after such expulsion or extraction, breathes, or shows any evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles, whether or not the umbilical cord has been cut or the placenta is attached. (Chap. VIT.101.01 (11), Rules and Regulations, Bureau of Vital Records and Health Statistics, effective January 1, 1981)

Fetal death defined:

Fetal death means death prior to the complete expulsion or extraction from its mother of a product of human conception, irrespective of the duration of pregnancy; the death is indicated by the fact that after such separation the fetus does not breathe or show any other evidence of life, such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles. (Chapter VIT.101.01 (34), Rules and Regulations, Bureau of Vital Records and Health Statistics, effective January 1, 1981)

When fetal death reporting is required:

A reportable fetal death shall be death, prior to the complete expulsion or extraction from its mother, of a product of human conception, having completed at least 20 weeks of gestation or weighing at least 350 grams Each reportable spontaneous fetal death which occurs in this State shall be reported Reports on induced termination of pregnancy shall not be required and shall not be reported as spontaneous fetal deaths. (Chapter VIT 403.01, Rules and Regulations, Bureau of Vital Records and Health Statistics, effective January 1, 1981)

Induced termination of pregnancy defined:

“Induced termination of pregnancy” means the purposeful interruption of pregnancy with the intention other than to produce a live-born infant or to remove a dead fetus and which does not result in a live birth. (Chapter VIT. 101.01 (45), Rules and Regulations, Bureau of Vital Records and Health Statistics, effective January 1, 1981)

When induced termination of pregnancy reporting is required:

Voluntary reporting system in place at the three major clinics providing services. (effective July, 1997)
Voluntary reporting system will be expanded to private physician groups in 1998.

NEW JERSEY

Live birth defined:

“Live birth” or “birth” means the complete expulsion or extraction from its mother of a product of conception, 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 definite movement of voluntary muscles, whether or not the umbilical cord has been cut or the placenta is attached. (Chapter 78, Section 26:8-1, Laws of 1965)

Fetal death defined:

“Fetal Death” or “stillbirth” means death prior to the complete expulsion or extraction from its mother of a product of conception, irrespective of the duration of pregnancy; the death is indicated by the fact that after such separation, the fetus does not breathe or show any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles. (Chapter 78, Section 26:6-1, Laws of 1965)

When fetal death reporting is required:

A certificate of fetal death . . . shall be required for every fetal death; provided, twenty or more weeks of gestation elapsed before the delivery. (Chapter 78, Section 26:6-11, Laws of 1965)

Induced termination of pregnancy defined:

Removal from the uterus of the products of conception. “Abortion” means the premature expulsion or removal from the uterus, either of an embryo or a nonviable fetus . . . includes any pregnancy which is twelve weeks or less in duration.

“Termination of pregnancy procedures” means the removal from the uterus of the products of conception either an embryo, a nonviable fetus or a viable fetus . . . applies to any period after the twelfth week of pregnancy. (Chapter 40, Section 8:40-4.1, Laws of 1974)

When induced termination of pregnancy reporting is required:

Abortion facilities (licensed hospitals and clinics) are required to prepare reports . . . following the abortion procedure. All abortions performed twenty or more weeks after gestation has elapsed before the delivery require a certificate of stillbirth and burial or removal permit. (Chapter 40, Section 8:40-4.3, Laws of 1974)

NOTES: No response regarding ITOP was received for updating this publication. The information provided on ITOP appears in the 1981 revision of *State Definitions and Reporting Requirements for Live Births, Fetal Deaths, and Induced Terminations of Pregnancy*.

NEW MEXICO

Live birth defined:

“Live birth” means the complete expulsion or extraction from its mother of a product of human conception, irrespective of the duration of pregnancy, which after the expulsion or extraction, breathes or shows any other evidence of life such as beating of the heart, pulsation of the umbilical cord or definite movement of voluntary muscles, whether or not the umbilical cord has been cut or the placenta is attached. (Section 24-14-2, E., Code Annotated)

Fetal death defined:

“Spontaneous fetal death” means death prior to the complete expulsion or extraction from its mother of a product of human conception, irrespective of the duration of pregnancy; the death is indicated by the fact that after such expulsion or extraction the fetus does not breathe or show any other evidence of life as beating of the heart, pulsation of the umbilical cord or definite movement of voluntary muscles. (Section 24-14-2, F, Code Annotated)

When fetal death reporting is required:

Each spontaneous fetal death, where the fetus has a weight of five hundred grams or more, which occurs in this state shall be reported to the state registrar. (Section 24-14-22, A, Code Annotated)

Induced termination of pregnancy defined:

“Induced Abortion” means the purposeful interruption of pregnancy with the intention other than to produce a live-born infant. (Section 24-14-2, M, Code Annotated)

When induced termination of pregnancy reporting is required:

Each induced abortion which occurs in this state shall be reported to the State Registrar . . . (Section 24-14-18, A, Code Annotated)

NEW YORK STATE (excluding New York City)

Live birth defined:

Live birth is defined as the complete expulsion or extraction from its mother of a product of conception, 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 definite movement of voluntary muscles, whether or not the umbilical cord has been cut or the placenta is attached; each product of such a birth is considered live born. (Article 41, Title III, Section 4130, New York State Public Health Law)

Fetal death defined:

Fetal death is defined as death prior to the complete expulsion or extraction from its mother of a product of conception; the death is indicated by the fact that after such separation, the fetus does not breathe or show any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles. (Article 41, Title V, Section 4160, New York State Public Health Law)

When fetal death reporting is required:

Under the definition set forth above, a fetal death certificate must be filed for every product of gestation, irrespective of the period of gestation. (Article 41, Title V, Section 4160, New York State Public Law)

Induced termination of pregnancy defined:

Not defined in statute.

When induced termination of pregnancy reporting is required:

A report shall be filed for every product of conception, irrespective of the period of gestation. (Article 41, Title V, Section 4160, New York State Public Law)

NEW YORK CITY

Live birth defined:

Live birth or birth means the complete expulsion or extraction from its mother of a product of conception, regardless of the duration of pregnancy, which after expulsion or extraction shows evidence of life, such as breathing, beating of the heart, pulsation of the umbilical cord or definite movement of voluntary muscles, whether or not the umbilical cord has been cut or the placenta is attached. (Section 201.01 (a), New York City Health Code)

Fetal death defined:

Termination of pregnancy means the expulsion or extraction of a conceptus, regardless of the duration of pregnancy, other than a live birth as defined in Section 201.01 (a), New York City Health Code, and includes fetal death as formerly defined. (Section 203.01 (a), New York City Health Code)

Spontaneous termination of pregnancy means the unplanned termination of a pregnancy, including but not limited to an ectopic pregnancy, or such a termination associated with a cesarean section, or an operative procedure unrelated to pregnancy resulting in an inadvertent termination. (Section 203.01 (b), New York City Health Code)

Conceptus means the product of any termination of pregnancy, regardless of its duration, including a hydatidiform mole, fetal tissue or other evidence of pregnancy recovered by operative or other procedure, but not including a live birth as defined in Section 201.01 (a). (Section 203.01 (d), New York City Health Code)

When fetal death reporting is required:

A certificate of spontaneous termination of pregnancy shall be filed . . . (Section 203.03 (c), New York City Health Code)

Induced termination of pregnancy defined:

Induced termination of pregnancy means the planned termination of a pregnancy by operative, instrumental or other intervention. (Section 203.01 (c), New York City Health Code)

When induced termination of pregnancy reporting is required:

A certificate of induced termination of pregnancy shall be filed . . . (Section 203.03 (c), New York City Health Code)

NORTH CAROLINA

Live birth defined:

“Live birth” means the complete expulsion or extraction from its mother of a product of human conception, irrespective of the duration of pregnancy, which, after such expulsion or extraction, breathes or shows any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles, whether or not the umbilical cord has been cut or the placenta is attached. (Administrative Procedure 7G, .0102 (5))

Fetal death defined:

“Fetal death” means death prior to the complete expulsion or extraction from its mother of a product of human conception, irrespective of the duration of pregnancy; the death is indicated by the fact that after such expulsion or extraction the fetus does not breathe or show any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles. (Administrative Procedure 7G, .0102 (6))

When fetal death reporting is required:

Each spontaneous fetal death occurring in the State of 20 completed weeks gestation or more shall be made on a form prescribed and furnished by the State Registrar. (Section 130A-114a, General Statutes)

Induced termination of pregnancy defined:

Induced termination of pregnancy means the purposeful interruption of pregnancy with the intention other than to produce a live-born infant or to remove a dead fetus and which does not result in a live birth. (*Handbook on the Reporting of Induced Termination of Pregnancy in North Carolina*)

When induced termination of pregnancy reporting is required:

The Department of Human Resources shall prescribe and collect on an annual basis, from hospitals or clinics where abortions are performed, such representative samplings of statistical summary reports concerning medical and demographic characteristics of the abortions provided as it shall deem to be in the public interest. (General Statutes 14-45.1c)

NORTH DAKOTA

Live birth defined:

“Live birth” means the complete expulsion or extraction from its mother of a product of human conception, irrespective of the duration of pregnancy, which after such expulsion or extraction, breathes or shows any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles, whether or not the umbilical cord has been cut or the placenta is attached. (23.02.1-01)

Fetal death defined:

“Fetal death” means death prior to the complete expulsion or extraction from its mother of a product of human conception, irrespective of the duration of pregnancy; the death is indicated by the fact that after such expulsion or extraction the fetus does not breathe or show any evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles. (23-02.1-01)

When fetal death reporting is required:

A fetal death certificate for each fetal death which occurs in this state after a gestation period of twenty completed weeks or more or of less than twenty completed weeks of gestation where provided by rules and regulations of the state department of health shall be filed with the local registrar of the district in which the delivery occurred within fifteen days after such delivery, and shall be registered by such registrar if it has been completed and filed in accordance with this section. (23-02.1-20)

Induced termination of pregnancy defined:

“Abortion” means the termination of human pregnancy with an intention other than to produce a live birth or to remove a dead embryo or fetus. (14-02.1-02)

When induced termination of pregnancy reporting is required:

An individual abortion report for each abortion performed upon a woman shall be completed by her attending physician. The report shall be confidential and shall not contain the name of the woman. This reporting shall include the data called for in the United States standard report of induced termination of pregnancy as recommended by the National Center for Health Statistics. (14-02.1-07)

NORTHERN MARIANA ISLANDS

Live birth defined:

“Live birth” is the complete expulsion or extraction from its mother of a product of conception, 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 definite movement of voluntary muscles, whether or not the umbilical cord has been cut or the placenta is attached; each product of such birth is considered live born. (Public Health Regulation Number 1, as revised May 14, 1958)

Fetal death defined:

“Fetal death” means death prior to the complete expulsion or extraction from its mother of a product of conception, irrespective of the duration of pregnancy; the death is indicated by the fact that after such separation the fetus does not breathe or show any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles. (Public Health Regulation Number 1, as revised May 14, 1958)

When fetal death reporting is required:

From the definition set forth above, fetal death reporting is required “irrespective of the duration of pregnancy.”

Induced termination of pregnancy defined:

An operation or procedure to terminate the pregnancy of a nonviable fetus during the first 20 weeks of pregnancy. Abortion is limited and justifiable only where the operation is necessary to save the life of the woman, provided it is performed by a licensed physician or surgeon in hospital or other facilities approved for the purpose.

When induced termination of pregnancy reporting is required:

The fetal death form is used for all induced terminations regardless of length of gestation. However, it would not show that it is for an ITOP.

NOTES: No response was received for updating this publication. The information provided appears in the 1981 revision of *State Definitions and Reporting Requirements for Live Births, Fetal Deaths, and Induced Terminations of Pregnancy*.

OHIO

Live birth defined:

“Live birth” means the complete expulsion or extraction from its mother of a product of human conception that after such expulsion or extraction breathes or shows any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles, whether or not the umbilical cord has been cut or the placenta is attached. (H. B. No. 790, Section 3705.01 (A))

Fetal death defined:

Fetal death means death prior to the complete expulsion or extraction from its mother of a product of human conception of at least twenty weeks of gestation, which after such expulsion or extraction does not breathe or show any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles. (H. B. No. 790, Section 3705.01 (B))

When fetal death reporting is required:

From the above definition, fetal death reporting is required if the fetus is “of at least 20 weeks of gestation.”

Induced termination of pregnancy defined:

“Abortion” means, as defined by section 2919.11 of the Revised Code, the purposeful termination of a human pregnancy by any person, including the pregnant woman herself, with an intention other than to produce a live birth or to remove a dead fetus or embryo. Abortion is the practice of medicine or surgery for the purpose of section 4731.41 of the Revised Code.

When induced termination of pregnancy reporting is required:

An individual abortion report for each abortion performed upon a woman shall be completed by her attending physician. (Administrative Code 3701-47-03, Section 3701.341 of the Revised Code)

OKLAHOMA

Live birth defined:

The term “live birth” means the complete expulsion or extraction from its mother of a product of human conception, irrespective of the duration of pregnancy, which, after such expulsion or extraction breathes or shows any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles whether or not the umbilical cord has been cut or the placenta is attached. (Section 63-1-301 (F), Statutes Annotated)

Fetal death defined:

The term fetal death means death prior to the complete expulsion or extraction from its mother of a product of human conception after a period of gestation as prescribed by the State Board of Health. The death is indicated by the fact that, after such expulsion or extraction, the fetus does not breathe or show any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles. (Section 63-1-301 (F), Statutes Annotated)

Pursuant to the Provisions of Paragraph (f), Section 301 of the Oklahoma Public Health Code of 1963, a gestation period of twenty weeks or more is hereby prescribed in defining the term “fetal death”. (Oklahoma State Health Department Rules and Regulations Prescribing Minimum Gestation Period for Reporting of Fetal Deaths, adopted September 13, 1964)

When fetal death reporting is required:

From the definition set forth previously, fetal death reporting is required for a fetus of a gestation period of twenty weeks or more.

Induced termination of pregnancy defined:

“Abortion” means the purposeful termination of a human pregnancy, by any person with an intention other than to produce a live birth or to remove a dead unborn child. (Section 1-701 (s))

When induced termination of pregnancy reporting is required:

The hospital, clinic, or other facility licensed by the State where the induced abortion is performed is responsible for obtaining the necessary data, completing the form, and filing it directly with the Division of Data Management, Oklahoma State Department of Health. (*Instruction Manual for Reporting Induced Termination of Pregnancy*, Oklahoma State Department of Health)

NOTES: No response was received for updating this publication. The information provided appears in the 1981 revision of *State Definitions and Reporting Requirements for Live Births, Fetal Deaths, and Induced Terminations of Pregnancy*.

OREGON

Live birth defined:

“Live birth” means the complete expulsion or extraction from its mother of a product of human conception, irrespective of the duration of pregnancy, which, after such expulsion or extraction, breathes or shows any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles, whether or not the umbilical cord has been cut or the placenta is attached. (ORS 432.005 (9) (1993))

Fetal death defined:

“Spontaneous fetal death” means the expulsion or extraction of a product of human conception resulting in other than a live birth and which is not an induced termination of pregnancy. (ORS 432.005 (13) (1993))

When fetal death reporting is required:

Each spontaneous fetal death of 20 completed weeks gestation or more, calculated from the date last normal menstrual period began to date of delivery, which occurs in this state shall be reported to the Vital Statistics Unit or as otherwise directed by the state registrar. (ORS 432.333 (1) (1993))

Induced termination of pregnancy defined:

“Induced termination of pregnancy” means the purposeful interruption of pregnancy with the intention other than to produce a live-born infant or to remove a dead fetus and which does not result in a live birth. (ORS 432.005 (7) (1993))

When induced termination of pregnancy reporting is required:

Each induced termination of pregnancy which occurs in this state, regardless of the length of gestation, shall be reported to the Vital Statistics Unit within five 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 attending physician shall prepare and file the report. (ORS 435.496 (1) (1993))

PENNSYLVANIA

Live birth defined:

“Live birth” means the expulsion or extraction from its mother of a product of conception, irrespective of the period of gestation, which shows any evidence of life at any moment after such expulsion or extraction. (Title 35, Section 450.105, Purdon’s Statutes Annotated through 1965 Supplement)

Fetal death defined:

“Fetal death” means the expulsion or extraction from its mother of a product of conception after 16 weeks gestation, which shows no evidence of life after such expulsion or extraction. (Title 35, Section 450.105, Purdon’s Statutes Annotated through 1965 Supplement)

When fetal death reporting is required:

From the preceding definition, fetal death reporting is required for every fetus sixteen weeks or more gestation.

Induced termination of pregnancy defined:

An induced termination is any abortion initiated voluntarily with the intention to terminate a pregnancy. (Administrative rule)

When induced termination of pregnancy reporting is required:

A report of each abortion performed shall be made to the department on forms prescribed by it. The reports shall be completed by the hospital or other licensed facility, signed by the physician who performed the abortion and transmitted to the department within 15 days after each reporting month. (18 Pa. Cons. Stat. and 3214, Subsections (a), (b))

Every facility in which an abortion is performed during any quarter shall file with the department a report showing the total number of abortions performed within the hospital or other facility during the quarter year. This report shall also show the total abortions performed in each trimester of pregnancy. (18 Pa. Cons. Stat. and 3214, Subsection (f))

PUERTO RICO

Live birth defined:

Live birth is the complete expulsion or extraction from its mother of a product of conception, irrespective of the duration of the 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 definite movement of voluntary muscles, whether or not the umbilical cord has been cut or the placenta is attached; each product of such a birth is considered live born.

Fetal death defined:

Not defined in statute.

When fetal death reporting is required:

No stillborn certificates shall be required in cases of fetuses with less than five months of intrauterine gestation. (Section 1102, Title 24, Laws of Puerto Rico Annotated 1964)

Induced termination of pregnancy defined:

Expulsion of immature baby from the womb provoked by a doctor before the 28th week of Pregnancy. (abortion)

When induced termination of pregnancy reporting is required:

Not required.

RHODE ISLAND

Live birth defined:

“Live birth” means the complete expulsion or extraction from its mother of a product of human conception, irrespective of the duration of pregnancy, which, after such expulsion or extraction, breathes or shows any other evidences of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of the voluntary muscles, whether or not the umbilical cord has been cut or the placenta is attached. (Section 23-3-1, General Laws of Rhode Island, 1956, as amended; first enacted 1961)

Fetal death defined:

“Fetal death” means death prior to the complete expulsion or extraction from its mother of a product of human conception, irrespective of the duration of pregnancy; the death is indicated by the fact that after the expulsion or extraction the fetus does not breathe or show any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of the voluntary muscles. (Section 23-3-1, General Laws of Rhode Island, 1956, as amended; first enacted 1961)

When fetal death reporting is required:

A fetal death certificate for each fetal death which occurs in this State after a gestation period of twenty (20) completed weeks or more shall be filed with the local registrar of the city or town in which the delivery occurred within seven (7) days after the delivery and prior to removal of the fetus from the state and shall be registered with the registrar if it has been completed and filed in accordance with this section. All other fetal deaths, irrespective of the number of weeks uterogestation, shall be reported directly to the State Department of Health. (Section 23-3-17, General Laws of Rhode Island, 1956, as amended; first enacted 1961)

Induced termination of pregnancy defined:

Not defined in statute.

When induced termination of pregnancy reporting is required:

All fetal deaths, whether induced as a consequence of a termination procedure or by spontaneous abortion shall be reported in accordance with Sub-Section (b) of the above-cited law, which reads, “All other fetal deaths, irrespective of the number of weeks uterogestation, shall be reported directly to the State Department of Health.” Such reporting shall be made on authorized forms provided by the Department of Health. (Amended Rules and Regulations for the Termination of Pregnancy, established in accordance with the authority conferred in Section 23-1-1 of the General Laws of Rhode Island, 1956, as amended, 604.2, May 24, 1984)

SOUTH CAROLINA

Live birth defined:

Live birth means the complete expulsion or extraction from its mother of a product of human conception, irrespective of the duration of pregnancy, which after such expulsion or extraction, breathes or shows any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles, whether or not the umbilical cord has been cut or the placenta is attached. (Regulation 61-19, Section I (f); Authority: Section 44-63-20, 1976 Code of Laws for South Carolina, as amended June 12, 1995.)

Fetal death defined:

Fetal Death means death prior to the complete expulsion or extraction from its mother of a product of human conception, irrespective of the duration of pregnancy; the death is indicated by the fact that after such expulsion or extraction the fetus does not breathe or show any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles. (Regulation 61-19, Section I (g); Authority: Section 44-63-20, 1976 Code of Laws for South Carolina, as amended June 12, 1995.)

When fetal death reporting is required:

Each fetal death of twenty (20) completed weeks gestation or more, or a weight of 350 grams or more, which occurs in this State shall be reported . . . (Regulation 61-19, Section 21 (a); Authority: Section 44-63-20, 1976 Code of Laws for South Carolina, as amended June 12, 1995.)

Induced termination of pregnancy defined:

Induced Termination of Pregnancy means the intentional termination of pregnancy with the intention other than to produce a live-born infant or to remove a dead fetus. (Regulation 61-19, Section I (h); Authority: Section 44-63-20, 1976 Code of Laws for South Carolina, as amended June 12, 1995.)

When induced termination of pregnancy reporting is required:

Any abortion performed in this State shall be reported by the performing physician . . . (Section 44-41-60, 1976 Code of Laws for South Carolina, as amended June 12, 1995.)

SOUTH DAKOTA

Live birth defined:

Live birth is the complete expulsion or extraction from its mother of a product of conception, irrespective of the duration of pregnancy, which, after such expulsion or extraction, breathes or shows any other evidence of life such as beating of the heart, pulsation of the umbilical cord or definite movement of voluntary muscles, whether or not the umbilical cord has been cut or the placenta is attached. (SDCL 34-25-1)

Fetal death defined:

Fetal death is death prior to the complete expulsion or extraction from its mother of a product of conception, irrespective of the duration of pregnancy; the death is indicated by the fact that after such expulsion or extraction, the fetus does not breathe or show any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles. (SDCL 34-25-1)

When fetal death reporting is required:

A fetal death report for the death of each fetus which weighs five hundred grams or more and which is not an abortion and reportable as such under chapter 34-23A which occurs in this state shall be filed with the department of health, in accordance with rules of the secretary of health promulgated pursuant to chapter 1-26. However, the five hundred grams weight specified by this section may not be considered a factor in determining when life begins. (SDCL 34-25-32.1)

Induced termination of pregnancy defined:

“Abortion,” the use of any means to intentionally terminate the pregnancy of a female known to be pregnant with knowledge that the termination with those means will, with reasonable likelihood, cause the death of the fetus. (SDCL 34-23A-1)

When induced termination of pregnancy reporting is required:

Any facility or physician performing abortions in this state shall report to the state department of health, as follows: (1) Total number of abortions performed; (2) Method of abortion used in each abortion performed; (3) Complete pathology reports giving period of gestation of fetuses, presence of abnormality, and measurements of fetuses, if the facility where the abortion is performed is so equipped to complete such reports; (4) Numbers of maternal deaths due directly or indirectly to abortions; (5) Reports of all follow-up, including short- and long-term complications in the female due to abortion; (6) Other information required by the regulations issued by the department pursuant to this section. No report made under this section shall include the name of any female receiving an abortion. (SDCL 34-23A-19)

TENNESSEE

Live birth defined:

“Live birth” means the complete expulsion or extraction from its mother of a product of human conception, irrespective of the duration of the pregnancy, which, after such expulsion or extraction, breathes or shows any other evidence of life such as beating of the heart, pulsation of the umbilical cord or definite movement of voluntary muscles, whether or not the umbilical cord has been cut or the placenta is attached. (Section 68-3-102 (9), Tennessee Code Annotated)

Fetal death defined:

“Fetal death” means death prior to the complete expulsion or extraction from its mother of a product of human conception; the death is indicated by the fact that after such expulsion or extraction the fetus does not breathe or show any other evidence of life such as beating of the heart, pulsation of the umbilical cord or definite movement of voluntary muscles. (Section 68-3-102 (4), Tennessee Code Annotated)

When fetal death reporting is required:

Each fetal death of five hundred (500) grams or more, or, in the absence of weight, of twenty two (22) completed weeks’ gestation or more, which occurs in this state, shall be reported to the office of vital records within ten (10) days after delivery . . . (Section 68-3-504 (a) (1), Tennessee Code Annotated)

Induced termination of pregnancy defined:

“Induced termination of pregnancy” means the intentional termination of pregnancy with the intention other than to produce a live-born infant or to remove a dead fetus. (Section 68-3-102 (7), Tennessee Code Annotated)

When induced termination of pregnancy reporting is required:

Each induced termination of pregnancy which occurs in this state shall be reported to the office of vital records within ten (10) days after the procedure 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 attending physician shall prepare and file the report . . . (Section 68-3-505 (a), Tennessee Code Annotated)

TEXAS

Live birth defined:

“Live Birth” means the complete expulsion or extraction from its mother of a product of conception, 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 definite movement of voluntary muscles, whether or not the umbilical cord has been cut or the placenta is attached; each product of such a birth is considered live born. (Regulations pertaining to vital statistics, effective 1976)

Fetal death defined:

“Fetal death” means death prior to the complete expulsion or extraction from its mother of a product of conception, irrespective of the duration of pregnancy; the death is indicated by the fact that after such separation, the fetus does not breathe or show any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles. (Regulations pertaining to vital statistics, effective 1976)

When fetal death reporting is required:

A certificate of stillbirth (fetal death) shall be filed for any stillbirth (fetal death) if the period of gestation is twenty completed weeks or more. (Regulations pertaining to vital statistics, effective 1976)

Induced termination of pregnancy defined:

An abortion is any act or procedure performed after pregnancy has been medically verified with the intent to cause the termination of a pregnancy other than for the purpose of either the birth of a live fetus or removing a dead fetus, and shall not include birth control devices or oral contraceptives. (Texas Abortion Facility Reporting and Licensing Act, Health and Safety Code, Chapter 245)

When induced termination of pregnancy reporting is required:

The statute requires a “universal reporting” of abortion procedures by all providers of abortion services.

UTAH

Live birth defined:

“Live birth” means the birth of a child who shows evidence of life after it is entirely outside of the mother. (Section 26-2-2, Code Annotated through 1995 Supplement)

Fetal death defined:

“Dead fetus” means a product of human conception: (a) of 20 weeks gestation or more, calculated from the date the last normal menstrual period began to the date of delivery; and (b) that was not born alive. (Section 26-2-2, Code Annotated through 1995 Supplement)

When fetal death reporting is required:

From the definition set forth above, fetal death registration is required at twenty weeks gestation or more. (Section 26-2-14, Code Annotated through 1995 Supplement)

Induced termination of pregnancy defined:

“Abortion” means the intentional termination or attempted termination of human pregnancy after implantation of a fertilized ovum, and includes all procedures undertaken to kill a live unborn child and includes all procedures undertaken to produce a miscarriage. “Abortion” does not include the removal of a dead unborn child. (Section 76-7-301, Code Annotated, 1993)

When induced termination of pregnancy reporting is required:

Any physician performing an abortion must obtain and record in writing: the age of the pregnant woman, her marital status and county of residence, the number of previous abortions performed on her, the hospital or other facility where performed, the weight in grams of the unborn child aborted, if it is possible to ascertain, the pathological description of the unborn child, the given menstrual age of the unborn child, the measurements, if possible to ascertain, and the medical procedure used. This information, and a copy of the pathologist’s report, as required in Section 76-7-309, together with an affidavit that the required consent was obtained pursuant to Section 76-7-305 and a certificate by the physician that the unborn child was or was not capable of survival outside of the mother’s womb, must be filed by the physician with the state Department of Health within 10 days after the abortion. (Section 75-7-313, Code Annotated, 1981)

VERMONT

Live birth defined:

Not defined in statute.

Fetal death defined:

Fetal death means a death prior to the complete expulsion or extraction from the mother of a product of conception; the death is indicated by the fact that after such separation, the fetus does not breathe or show any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of the voluntary muscle. (Added 1973, Number 99, Chapter 1, effective July 1, 1973.)

When fetal death reporting is required:

All fetal deaths of 20 or more weeks of gestation or, if gestational age is unknown, of 400 or more grams, 15 or more ounces, fetal weight shall be reported. (Title 18, Section 5222 (a), Vermont Statutes Annotated)

Induced termination of pregnancy defined:

Not defined in statute.

When induced termination of pregnancy reporting is required:

All therapeutic or induced abortions, as legally authorized to be performed, of any length gestation or weight shall be reported . . . (Title 18, Section 5222 (a), Vermont Statutes Annotated)

VIRGINIA

Live birth defined:

“Live birth” means the complete expulsion or extraction from the mother of a product of human conception, irrespective of the duration of pregnancy, which, after such expulsion or extraction, breathes or shows any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles, whether or not the umbilical cord has been cut or the placenta is attached. (Section 32.1-249 (7) Code of Virginia)

Fetal death defined:

“Fetal death” means death prior to the complete expulsion or extraction from its mother of a product of human conception, regardless of the duration of pregnancy; death is indicated by the fact that after such expulsion or extraction the fetus does not breathe or show any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles. (Section 32.1-249 (2) Code of Virginia)

“Spontaneous fetal death” means the expulsion or extraction of a product of human conception resulting in other than a live birth and which is not an induced termination of pregnancy. (Section 32.1-249 (2) Code of Virginia)

When fetal death reporting is required:

Under the definition set forth above, a fetal death certificate must be filed for every product of conception, irrespective of the period of gestation, which does not result in a live birth. (Section 32.1-264 Code of Virginia)

Induced termination of pregnancy defined:

“Induced termination of pregnancy” means the intentional interruption of pregnancy with the intention to produce other than a live-born infant or to remove a dead fetus and which does not result in a live birth. (Section 32.1-249 (2) Code of Virginia)

When induced termination of pregnancy reporting is required:

All events defined above. (Section 32.1-264 Code of Virginia)

VIRGIN ISLANDS

Live birth defined:

“Live Birth” is the complete expulsion or extraction from its mother of a product of conception, 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 definite movement of the voluntary muscles, whether or not the umbilical cord has been cut or the placenta is attached. (Title 19, Virgin Islands Code, Section 801)

Fetal death defined:

“Fetal Death” means death prior to the complete expulsion or extraction from its mother of a product of conception, irrespective of the duration of pregnancy; the death is indicated by the fact that after such separation the fetus does not breathe or show any evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of the voluntary muscles. (Title 19, Virgin Islands Code, Section 801)

When fetal death reporting is required:

Under the preceding definition, a fetal death certificate must be filed for every product of gestation, irrespective of the period of gestation.

Induced termination of pregnancy defined:

Not defined in statute.

When induced termination of pregnancy reporting is required:

Not required.

WASHINGTON

Live birth defined:

Live birth—The complete expulsion or extraction from its mother of a product of human conception, irrespective of the duration of pregnancy, which, after such expulsion or extraction, breathes, or shows any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles, whether or not the umbilical cord has been cut or the placenta is attached. (Washington State Vital Statistics, 1992 and 1993)

Fetal death defined:

A fetal death means any product of conception that shows no evidence of life after complete expulsion or extraction from its mother. The words “evidence of life” include breathing, beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles. (Revised Code of Washington 70.58.150)

When fetal death reporting is required:

A certificate of every death or fetal death shall be filed with the local registrar of the district in which the death or fetal death occurred within three days after the occurrence is known, or if the place of death or fetal death is not known, then with the local registrar of the district in which the body is found within twenty-four hours thereafter. In every instance a certificate shall be filed prior to the interment or other disposition of the body: PROVIDED, That a certificate of fetal death shall not be required if the period of gestation is less than twenty weeks. (Revised Code of Washington 70-58.160)

Induced termination of pregnancy defined:

“Abortion” means any medical treatment intended to induce the termination of a pregnancy except for the purpose of producing a live birth.

When induced termination of pregnancy reporting is required:

Reporting of induced abortions is required for all procedures performed regardless of the gestation of pregnancy . . . (Handbook on the Reporting of Induced Abortions in Washington State, January, 1990)

WEST VIRGINIA

Live birth defined:

“Live birth” means the complete expulsion or extraction from its mother of a product of human conception, irrespective of the duration of pregnancy, which, after such expulsion or extraction, breathes or shows any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles, whether or not the umbilical cord has been cut or the placenta is attached. (Section 16-5-1 (f))

Fetal death defined:

“Fetal death” means death prior to the complete expulsion or extraction from its mother of a product of human conception, irrespective of the duration of pregnancy, such death being indicated by the fact that after such expulsion or extraction, the fetus does not breathe or show any other evidence of life such as beating of the heart, pulsation of the umbilical cord or definite movement of voluntary muscles. (Section 16-5-1 (b))

When fetal death reporting is required:

A fetal death certificate for each fetal death which occurs in this state after a gestation period of twenty completed weeks shall be filed . . . (Section 16-5-20 (a))

Induced termination of pregnancy defined:

“Induced termination of pregnancy” means the purposeful interruption of an intrauterine pregnancy with the intention other than to produce a live-born infant, and which does not result in a live birth. This definition excludes management of prolonged retention of products of conception following a fetal death.

When induced termination of pregnancy reporting is required:

Unemancipated abortion reporting is required by the same statute requiring parental notification. Any physician performing an abortion upon an unemancipated minor shall provide the department of health a written report of the procedure within thirty days after having performed the abortion. (S.16-2F-6) Reporting of all other abortions is required through the general powers and duties of the commissioner for public health to “collect data as may be required to foster knowledge on the citizenry’s health status, the health system and costs of health care.”

WISCONSIN

Live birth defined:

Not defined in statute.

Glossary—Wisconsin Maternal and Child Health Statistics, 1995: Live Birth—A live birth is the complete expulsion or extraction of an infant from its mother, 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 definite movement of voluntary muscles.

Fetal death defined:

No statutory provision.

Glossary—Wisconsin Maternal and Child Health Statistics, 1995: Fetal Death—Death prior to the complete expulsion or extraction from its mother of a product of conception; the fetus shows no signs of life such as beating of the heart, pulsation of the umbilical cord or definite movement of voluntary muscles.

When fetal death reporting is required:

If a death is a miscarriage and 20 weeks or more have elapsed between the mother's last normal menstrual period and delivery or the stillbirth weighs 350 grams or more, one of the following shall submit, within 5 days after delivery, a fetal death report to the registration district where delivery occurred: . . . (Wisconsin Statutes 69.18 (1) (e)1)

Induced termination of pregnancy defined:

“Induced abortion” means the termination of a uterine pregnancy by a physician of a woman known by the physician to be pregnant, for a purpose other than to produce a live birth or to remove a dead fetus. (Wisconsin Statutes 69.01 (13m))

When induced termination of pregnancy reporting is required:

On or before January 15 annually, each hospital, clinic or other facility in which an induced abortion is performed shall file with the department a report for each induced abortion performed in the hospital, clinic or other facility in the previous calendar year. (Wisconsin Statutes, 69.186, 1986)

WYOMING

Live birth defined:

“Live birth” means the complete expulsion or extraction from its mother of a fetus, which after such expulsion or extraction, breathes or shows any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles, whether or not the umbilical cord has been cut or the placenta is attached. (Section 35-1-401 (v), State Statutes, Enacted May 25, 1973)

Fetal death defined:

“Stillbirth” means a birth after 20 completed weeks gestation in which the child shows no evidence of life after complete birth. (Section 35-1-401 (vi), State Statutes, Enacted May 25, 1973)

When fetal death reporting is required:

A stillbirth certificate for each stillbirth which occurs in this state after gestation period of 20 completed weeks or more shall be filed with the local registrar . . . (Section 35-1-419, State Statutes, Enacted May 25, 1973)

Induced termination of pregnancy defined:

“Abortion” means an act, procedure, device or prescription administered to or prescribed for a pregnant woman by any person with knowledge of the pregnancy, including the pregnant woman herself, with the intent of producing the premature expulsion, removal or termination of a human embryo or fetus, except that in cases in which the viability of the embryo or fetus is threatened by continuation of the pregnancy, early delivery after viability by commonly accepted obstetrical practices shall not be construed as an abortion. (Section 35-6-101 (a))

When induced termination of pregnancy reporting is required:

The State office of vital records services shall establish an abortion reporting form which shall be used after May 27, 1977 for the reporting of every abortion performed or prescribed in this state. (Section 35-6-107 (a))

References

1. Model State Vital Statistics Act and Regulations, 1992 Revision, DHHS Publication No. (PHS) 94-1115.
2. Guidelines for Perinatal Care, Ed. 2, Washington, DC: ACOG. 1988. 308-324.

**DEPARTMENT OF
HEALTH & HUMAN SERVICES**

Centers for Disease Control and Prevention
National Center for Health Statistics
6525 Belcrest Road
Hyattsville, Maryland 20782-2003

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE, \$300

STANDARD MAIL (A)
POSTAGE & FEES PAID
PHS/NCHS
PERMIT NO. G-281