

May 2017 – Webinar for Birth Information Specialists, Midwives and Managers

Topic: Fetal Death Reporting – Q & A

Link to recording: <https://chsdhsoha.adobeconnect.com/p5tzdkg2w31s/> (13 minutes)

PLEASE NOTE: Some revisions have been made since the webinar. Please see below for the most up-to-date guidance from our office.

1. **Question:** When a parent wants to take care of the disposition of a fetus after a fetal death, do they need a disposition permit?

Answer: Before fetal remains can be removed for disposition from the facility where the delivery occurred, the facility must complete a disposition permit and give it to the funeral director or parents when they take the remains. The disposition permit gives permission to transport remains to the location of burial or cremation. A disposition permit is required whenever fetal remains are moved from a facility, regardless of whether the fetal death was reportable or not.

There are two disposition permits and it's important to use the correct one. The Authorization for Fetal Disposition (45-3D) is used for a fetal death and can be completed by the birth information specialist. The Authorization for Disposition (45-9) is used when the delivery resulted in a live birth and the baby died after, regardless of length of life. The Authorization for Disposition must have a doctor's approval recorded and is created by the funeral home.

2. **Question:** Where can we find both disposition permits (45-3D and 45-9)?

Answer: A blank version of the fetal death disposition permit (**45-3D**), which is used when fetal death remains are removed from a facility by either the funeral home or family, can be found in OVERS by going to Forms → Print Forms.



If it is a reportable fetal death, you can also obtain a pre-filled version of the form from within the OVERS record by going to Print Forms from the Other Links menu.

The other disposition permit (**45-9**), which should only be used when there was a live birth followed by a death, can be obtained from the State Vital Records office if the family is acting as the funeral director. The family can request the disposition permit and death certificate by contacting JoAnn Jackson, State Registration Manager, at 971-673-1160 or JoAnn.Jackson@state.or.us, if acting as the funeral director. Otherwise the funeral home provides the 45-9 disposition form.

3. **Question:** Where can we obtain the ID tag number?

Answer: The disposition permit requires the ID tag number and some other burial or cremation details. Whether the delivery resulted in a fetal death or a live birth followed by a death will determine where the ID tag can be obtained.

- If the funeral home is picking up the fetal remains, the funeral home will complete the ID tag number on the disposition form received from the facility (or hospital)
- If the delivery resulted in a fetal death and the family is taking the remains, the hospital will complete the disposition form, but the family can obtain the tag from the State Vital Records office.
- If the delivery resulted in a live birth followed by a death, the family may take the remains acting as the funeral director, but a home burial packet must be completed. The family should contact JoAnn Jackson, State Registration Manager, at 971-673-1160 or JoAnn.Jackson@state.or.us to obtain the home burial packet, which contains the ID tag number with burial tag, along with a death certificate, instructions for how to complete it, a 24-hour receipt of body card, and the State Registration Manager's contact information.

4. **Question:** Before submitting a fetal death report electronically through OVERS, there is a message that requires that we verify the information that was entered. Since we might not know if the information is accurate how do we handle this?

Answer: The information entered into the fetal death report is determined by medical staff (a nurse or doctor, for example) who are authorized to determine whether or not a fetal death or live birth occurred. Because birth certifiers who complete the report of fetal death act as the facility's agent and do not personally complete an examination on the fetus, the wording on the affirmation statement (prior to certifying the record) can be confusing. Up until this past month, the affirmation statement read, "On the basis of examination, in my opinion, the death occurred due to the causes or conditions stated." Our office heard your concerns and unease with this statement, and we have now changed the statement to read, "On the basis of medical information, the fetal death occurred due to the causes or conditions stated." We hope this change will help reduce or eliminate any unease when certifying a fetal death record in OVERS.

5. **Question:** Can fetal remains be transported across state lines?

Answer: Yes, with a completed disposition permit, fetal remains can be transported across state lines.

6. **Question:** When a mother comes in to our facility to be induced because she knows that the fetus has already passed inside her, is this considered a fetal death or an induced termination of pregnancy?

Answer: If the mother comes to your facility to deliver a fetus who has passed inside her, but the mother intended to deliver a live-born infant, this is considered a fetal death.

An induced termination of pregnancy is the *purposeful* interruption of an intrauterine pregnancy with the intention other than to produce a live-born infant and that does not result in a live birth (ORS 432.005 (17)).

7. **Question:** Do county vital records offices handle any paperwork regarding fetal death?

Answer: No, all fetal death reports are filed electronically in OVERS and registered at the state. There is no current paper form used to report fetal deaths. If a parent wants to purchase a Commemorative Certificate then they will do so from the State Vital Records office.

8. **Question:** Can the parents request a Commemorative Certificate with an induced termination of pregnancy?

Answer: No, a Commemorative Certificate is only available for fetal deaths. In order for the parents to receive a Commemorative Certificate, a fetal death report must be completed. Induced terminations of pregnancy should never be reported as a fetal death. ITOPs are reported in a separate module within OVERS.

9. **Question:** If a family wants the Commemorative Certificate but the fetus didn't meet the minimum requirements for a mandatory report of fetal death, are all fields necessary to be completed on the parent and facility worksheets?

Answer: If a report of fetal death is not mandatory (in circumstances when the fetus is less than 350 grams, or, if the weight of the fetus is unknown, the gestational period is less than 20 weeks), it is necessary that you provide the weight of the fetus so that we know the fetus does not meet the reporting criteria. The only other fields that we ask you to report on non-mandatory reports are the parents' names, name of fetus (if applicable), and date of delivery, which are the fields that will display on the Commemorative Certificate. Please also make a comment on the record indicating to us that the fetal death is not a reportable fetal death and is being reported for Commemorative Certificate purposes. Of course, the Commemorative Certificate will only reflect the information you reported to us and no medical information appears on the certificate.

10. **Question:** How do we get added to the Listserv to receive notifications about future webinars?

Answer: To receive future notifications about webinars, OVERS updates and maintenance, and resources from our office, please contact Krystalyn Salyer, OVERS Training Coordinator, at 971-673-1197 or Krystalyn.Salyer@state.or.us.