

By Mr. White of Boston, petition of John A. Kiernan and W. Paul White relative to the reporting of deaths of children. The Judiciary.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-Eight.

AN ACT RELATIVE TO REPORTING DEATHS OF CHILDREN.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 51A of Chapter 119 of the General Laws,
2 as most recently amended by Chapter 209 of the Acts of 1985,
3 is further amended by inserting the following new paragraph after
4 the third paragraph of said section: —

5 Any person required to report pursuant to this section who is
6 responsible for the treatment of a pregnant woman shall report
7 an absence of evidence of the birth of a child, within thirty days
8 following the expected date of delivery unless there is evidence
9 of continued pregnancy. Any such person who fails to make such
10 a report shall be punished by a fine of not more than one thousand
11 dollars. This paragraph shall not require the reporting of either
12 spontaneous or induced abortions.

1 SECTION 2. Section 12A of Chapter 112 is hereby amended
2 by striking out the word "provision" in line 17 as appearing in
3 chapter 218 of the Acts of 1982 and inserting in place thereof the
4 word: — paragraph.

1 SECTION 3. Section 12A of Chapter 112 of the General Laws,
2 as most recently amended by Chapter 218 of the Acts of 1982,
3 is further amended by adding the following paragraph: —

4 Any health care professional charged with the care of a pregnant
5 woman shall report the absence of evidence of the birth of a child
6 thirty days following the expected date of delivery, unless there
7 is evidence of continued pregnancy. Such report shall be made

8 to the commissioner of public safety and to the police of the towns
9 where the pregnant woman resides and where the health care
10 professional was caring for the woman. Whoever fails to make
11 any of such reports shall be punished by a fine of not more than
12 one thousand dollars. Nothing in this provision shall require the
13 reporting of either spontaneous or induced abortions.
14 twenty-one days following the expected date of delivery. Such
15 report shall be made to the commissioner of public safety and to
16 the police of the towns where the pregnant woman resides and
17 where the health care professional was caring for the woman.
18 Whoever fails to make any of such reports shall be punished by
19 a fine of not more than one thousand dollars.