

## Senate Bill No. 2082

An act relating to the disposition of fetal remains; creating s. 383.33625, F.S.; providing a popular name; providing that where a health practitioner has custody of fetal remains following a spontaneous fetal demise, the health practitioner must notify the mother of her option of burial or cremation of the fetal remains; providing requirements with respect to notification; directing the Department of Health to develop forms for health practitioners; providing that where a facility has custody of fetal remains following a spontaneous fetal demise, the facility must notify the mother of her option of burial or cremation of the fetal remains, as well as procedures pertaining thereto; directing the Agency for Health Care Administration to develop forms for facilities; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 383.33625, Florida Statutes, is created to read:

383.33625 Stephanie Saboor Grieving Parents Act; disposition of fetus; notification; forms developed.—

(1) This section shall be known by the popular name the “Stephanie Saboor Grieving Parents Act.”

(2) A health care practitioner licensed pursuant to chapter 458, chapter 459, chapter 464, or chapter 467, Florida Statutes, having custody of fetal remains following a spontaneous fetal demise occurring after a gestation period of less than 20 completed weeks must notify the mother of her option to arrange for the burial or cremation of the fetal remains, as well as the procedures provided by general law. Notification may also include other options such as, but not limited to, a ceremony, a certificate, or common burial of the fetal remains.

(3) The Department of Health shall adopt rules to develop forms to be used for notifications and elections by the health care practitioner, and the health care practitioner shall provide the forms to the mother.

(4) A facility licensed pursuant to chapter 383 or chapter 395 having custody of fetal remains following a spontaneous fetal demise occurring after a gestation period of less than 20 completed weeks must notify the mother of her option to arrange for the burial or cremation of the fetal remains, as well as the procedures provided by general law. Notification may also include other options such as, but not limited to, a ceremony, a certificate, or common burial of the fetal remains.

(5) If the mother chooses the option of using the procedures provided by general law, the facility or health care practitioner in custody of fetal remains shall follow the procedures set forth in general law.

(6) The Agency for Health Care Administration shall adopt rules to develop forms to be used for notifications and elections by the facility, and the hospital shall provide the forms to the mother.

Section 2. This act shall take effect upon becoming a law.

Approved by the Governor May 27, 2003.

Filed in Office Secretary of State May 27, 2003.