

House Bill 1250

By: Representatives Hilton of the 48<sup>th</sup>, Hawkins of the 27<sup>th</sup>, Taylor of the 173<sup>rd</sup>, Dempsey of the 13<sup>th</sup>, Petrea of the 166<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 1 of Chapter 2A of Title 31 of the Official Code of Georgia Annotated,  
2 relating to general provisions concerning the Department of Public Health, so as to require  
3 certain hospitals to offer perinatal bereavement care counseling options and any available  
4 perinatal bereavement devices; to provide for definitions; to provide for related matters; to  
5 provide for contingent effectiveness upon appropriation of funds; to provide for a repealer  
6 clause; to provide for a short title; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 This Act shall be known and may be cited as the "Daniel Waters Act."

10 **SECTION 2.**

11 Article 1 of Chapter 2A of Title 31 of the Official Code of Georgia Annotated, relating to  
12 general provisions concerning the Department of Public Health, is amended by adding a new  
13 Code section to read as follows:

14 "31-2A-21.

15 (a) As used in this Code section, the term:

H. B. 1250

16 (1) 'Basic perinatal services' means providing basic inpatient care for pregnant women  
17 and newborns without complications; managing perinatal emergencies; consulting with  
18 and referring to specialty and subspecialty hospitals; identifying high-risk pregnancies;  
19 providing follow-up care for new mothers and infants; and providing public and  
20 community education on perinatal health.

21 (2) 'Family members' means the parents, siblings, and children of the expectant parents.

22 (3) 'Fetal death' means the definition of such process as described in Code Section  
23 31-10-1.

24 (4) 'Hospital' means a hospital licensed by the Department of Community Health as a  
25 children's hospital or to provide basic perinatal services and shall also include children's  
26 hospitals.

27 (5) 'Initiative' means the perinatal bereavement care initiative established under  
28 subsection (c) of this Code section.

29 (6) 'Neonatal death' means the death of a live-born infant within the first 28 days  
30 following birth.

31 (7) 'Perinatal bereavement care' means the provision of supportive care following a fetal  
32 death, neonatal death, or stillbirth.

33 (8) 'Perinatal bereavement device' means a device with technology capable of delaying  
34 for bereavement purposes the deterioration of human tissue for up to 72 hours following  
35 a fetal death, neonatal death, or stillbirth.

36 (9) 'Stillbirth' means the definition provided in Code Section 31-10-1.

37 (b) A hospital that has been provided funding for perinatal bereavement care under  
38 subsection (c) of this Code section shall, following a fetal death, neonatal death, or  
39 stillbirth, make available to the expectant parents and family members for a period equal  
40 to the length of stay recommended by the attending physician for a birth:

41 (1) Perinatal bereavement care counseling resources; and

42 (2) Any available perinatal bereavement device.

- 43 (c)(1) The department shall establish and administer a perinatal bereavement care  
44 initiative to improve access to and quality of perinatal bereavement care in this state.  
45 (2) The department may, upon appropriation, provide to hospitals the following  
46 resources for the hospital's provision of perinatal bereavement care:  
47 (A) For hospital personnel who provide maternal care or neonatal care, training on  
48 interacting with parents and family members in a considerate and respectful manner  
49 following a fetal death, neonatal death, or stillbirth;  
50 (B) A perinatal bereavement device, including:  
51 (i) Training for personnel on the use of the device; and  
52 (ii) Support to maintain the device; and  
53 (C) Any other resources necessary for providing perinatal bereavement care.  
54 (3) In providing resources to hospitals under the initiative, the department shall prioritize  
55 hospitals that:  
56 (A) Lack access to a perinatal bereavement device;  
57 (B) Treat a greater number of high-risk pregnancies; and  
58 (C) Facilitate a comparatively high number of births relative to other hospitals in this  
59 state.  
60 (4) The department may accept gifts, grants, or donations from any source for the  
61 purposes of the initiative.  
62 (d) The department, in consultation with the Georgia Perinatal Quality Collaborative, shall  
63 develop and implement a program to award recognition to hospitals that provide perinatal  
64 bereavement care."

65 **SECTION 3.**

- 66 (a) This Act shall become effective only if funds are specifically appropriated for purposes  
67 of this Act in an appropriations Act enacted by the General Assembly.  
68 (b) If funds are so appropriated, then this Act shall become effective on the later of:

- 69 (1) The date on which such appropriations Act becomes effective; or  
70 (2) The beginning date of the fiscal year for which such appropriations are made.  
71 (c) If funds are not appropriated by July 1, 2029, as described herein, this Act shall stand  
72 repealed.

73

**SECTION 4.**

74 All laws and parts of laws in conflict with this Act are repealed.