



## The Georgia Certificate of Birth Resulting in Stillbirth (CBRS)

### The No Heartbeat Act—SB 381 (CBRS Effective July 1, 2008)

Erin Dickerson & Marcia McGinnis (Spring 2008)

Part 1

**The Certificate of Birth Resulting in Stillbirth:** The Certificate of Birth Resulting in Stillbirth (CBRS) is a memorial document that families who have experienced a stillborn child can request. It recognizes the birth of their baby separate from their baby's death. It provides a lasting document for recognition of a baby born still. This document is for comfort and closure for the family. The CBRS cannot be used as a statistical record of live birth. Though the CBRS is now established by a law, the actual implementation of issuing the CBRS must be completed by the State Office of Vital Records. It may take some time to fully implement this process.

#### Information (when available) included on the CBRS:

- (1) Name (as provided by parent when requesting a CBRS or on the Fetal Death Record). If no name is provided, the Vital Records will fill in Baby Girl or Baby Boy and the last name of the parents.;
- (2) Date, time and place (hospital, county) of delivery; Gender;
- (3) Mother's name and residence; Father's name;
- (4) The attendant at delivery;
- (5) Gestational age and weight at delivery;
- (6) Type of delivery (single, twin, triplet, etc.)
- (7) "This certificate is not proof of live birth."

More Information:  
[www.shareatlanta.org/legacy/GACBRS.htm](http://www.shareatlanta.org/legacy/GACBRS.htm)

**The "No Heartbeat Act" Law Defines Stillbirth:** "Stillbirth" means an unintended, intrauterine fetal death after a gestational age of not less than 20 completed weeks, or of a fetus with a weight of 350 grams or more.

**Requesting a CBRS:** Under the new law, the OVR will implement the issuance of the CBRS to parents who request one, and the cost will be \$10.00. The delivery hospital or delivery attendant (if birth occurs outside of hospital) shall advise the parent of a stillborn baby of their option to request a CBRS. Such requests must be initiated by phone to the OVR. (As of 7.1.08, the process is not available via the internet.) The OVR will then explain the procedure to follow. You may request the CBRS at any time after your loss. By law, the OVR must issue the CBRS within 60 days after the request is made. As with a live birth certificate and a Fetal Death Certificate, no parent automatically receives the CBRS. **GA State Vital Records: [www.health.state.ga.us/programs/vitalrecords/](http://www.health.state.ga.us/programs/vitalrecords/) OR 404-679-4702**

**Requesting the Fetal Death Certificate:** The parent may request this from the State Office of Vital Records at any time for a cost of \$10.00. **Fetal Death Certificates-GA State Vital Records: 404-679-4702.**

**The Certificate of Birth Resulting in Stillbirth is not a Fetal Death Certificate:** These are two separate documents. According to Georgia law, every spontaneous fetal death irrespective of the duration of pregnancy must be reported within 72 hours after delivery. This Fetal Death Report is filed with the local registrar of the county in which the delivery occurred, and becomes the Fetal Death Record. Information for both the CBRS and the Fetal Death Certificate is generated from the Fetal Death Record. (O.C.G.A. 31-10-18 see also 31-10-1)

**The CBRS Is Retroactive, Provided that there is a Fetal Death Record:** To receive a CBRS, there has to be a Fetal Death Record that verifies the death of the baby. Historically, not all losses have been reported therefore they were not recorded. Reporting is more accurate today. The State Office of Vital Records maintains records dating back to 1919, provided that a Fetal Death Report was filed by the delivery hospital or by the delivery attendant at the time of death. (O.C. GA. 31-10-18)

**CBRS brought to Law in Georgia by Erin Dickerson and Marcia McGinnis** with the support of personal friends and family and SHARE Atlanta members and their friends and family. Our sponsors Senator Dan Weber, Representatives Fran Millar and Wendell Willard championed our bills passage. Over 200 legislators voted "yes." Gov. Perdue signed it into law on May 12, 2008. A ceremonial signing with Gov. Perdue and our legislative sponsors happened on May 29, 2008. The CBRS IS a reality for Georgians!!

# The Importance of the CBRS for the Pregnancy and Newborn Loss Community (PNLC)

Part 2

Advocacy—Awareness

By Marcia McGinnis

**The Certificate of Birth Resulting in Stillbirth (CBRS) is an important document for healing.** It also supports the recognition of babies who died too soon. Until recently, fullterm stillbirths and newborns who died were often denied recognition by their families and friends as well as by the medical community. Today, stillborn children are named, dressed and "parented" by their families because they have a place in the family. The family's grief is embraced. The CBRS is a significant document for closure and comfort. Gradually, because of advocacy and grief support groups, a deceased baby's presence has become significant.

**Denial or Avoidance of Loss in the Past:** Even in the early 90s, the medical community and close relatives and friends felt it best if bereaved parents were spared the sadness of seeing and holding their babies. They encouraged parents to let the hospital dispose of their child and to move on with their life. Doctors might suggest a 2 month period for the mother's body to recover from the pregnancy before trying again. Pregnancy and newborn loss grief support groups, such as SHARE Atlanta (SA), were shunned for fear they would cause the parents to think about and wallow in their grief.

In 1992, Roger and Taylor Deane's experience reflected this type of reaction by those around them. At full term, their son, Russell, was born still. Fortunately, the Deanes attended SA, and their grief slowly healed. Roger's poem, "No Heartbeat" in memory of Russell, describes his pain and his feelings of finding others who understood. The "No Heartbeat Act" bill for the CBRS was named for his poem. For fifteen years, they supported SA by leading the Subsequent Pregnancy Group, keeping the data base, and funding for SA's website. Rachel Deane, Russell's younger sister, wrote "Rachel's Poem" in his memory.

**Groups Gradually End Denial of Pregnancy and Newborn Loss:** Groups provide support for healing and doors for advocacy for the rights of parents and their babies. A baby's brief presence is given meaning.

Advocacy happens as we pair need with healing family activities. SHARE Atlanta now has memorial services, an angel garden with memorial bricks, candlelightings, a website and forums. Cindy Ivey (Lacey stillborn 9.03) is our March of Dimes' team captain. For two years, we have placed in the MODS' Top Ten National Family teams as we march in memory of our babies. Our 4Bs - Blankets, Buntings, Bonnets and Booties an outreach from our families to local hospitals happened because of Alan and Kelly Mishkoff's stillbirths of Zachary and Jeremy (1.04 & 11.04). We provide inservices for professionals to better understand the grieving parents' needs and SA's programs. These activities bring comfort and healing as families honor their child's memory.

Grieving is more widely accepted now as normal and healthy. Today, parents survive this loss with dignity and the ability to make this tragic experience part of "who they are." Loss, grief and healing do not have to be accomplished alone or in secret. Denial and avoidance of the Pregnancy and Newborn Loss Community's (PNLC) needs and issues are gradually giving way to important changes.

**Advocacy Opens Doors for Emotional Support:** Today, many doctors and nurses encourage grief support. In the hospital, parents who have had a loss of any length of gestation are often given mementos such as a handmade baby blanket. Many of the tiniest babies are given names. Parents are offered pictures, hand and foot prints, to hold and dress their baby, and caring ways to say goodbye. The parents are given "permission to grieve."

**Advocacy Leads to Research to Find Answers:** Every step of advocacy is vital for appreciating the significance of each child. No matter how long the child is carried or how long the child lives, parents should be given the option to recognize their baby and to grieve as they wish. With recognition, more parents seek answers for preterm and newborn death. Organizations now appreciate the number of stillbirths (28,000) and other pregnancy and newborn losses (900,000 - pregnancy losses per year). Numbers encourage answers, research, and support.

The March of Dimes focuses on birth defects and prematurity. This focus could extend to stillbirth and miscarriage issues. MODS embraces pregnancy care. The Emory Stillbirth Study is part of a larger NIH study to find answers for stillbirths. In Atlanta, 8 hospitals are involved in this study. The Pregnancy Loss Institute in LA supports research for cord accidents. The Alan E. Beer Center for Reproductive Immunology & Genetics works to prevent pregnancy loss. More babies are living as a result of these kinds of studies. This is a positive outcome of recognizing ectopic, miscarriage, stillbirth and newborn loss.

Marcia McGinnis©4.2008

## Part 3 **SB 381—The Making of a Law -No Heartbeat Act—GA CBRS**

**Example of Certificate of Birth Resulting in Stillbirth's (CBRS) Importance:** Debbie and Philip Wright delivered full term twin boys in February 2005. Tanner was born crying. Grant was born still. The couple could request a birth certificate for Tanner, but could only obtain a Fetal Death Certificate for Grant. Both children were "born," but only one was recognized as having been born. A Fetal Death Certificate brings little comfort. A CBRS for Grant recognizes his birth. Phil and Debbie wanted the CBRS for comfort and closure for their family.

**Why CBRS Happened in Ga-Marcia McGinnis' story:** While my three losses did not involve a stillborn child, after 23 years with SHARE Atlanta (SA), I know many who have had a stillbirth. SA has also done inservices for the Emory Stillbirth Study. Since 2001, I have read as each of the 21 states passed the CBRS. SA mom, Tamara Partiss, (Kenny stillborn 2.06) and I discussed the closure that the CBRS would provide. It would also further the causes in the Pregnancy and Newborn Loss Community (PNLC). In 2006, Erin Dickerson's desire for a CBRS and her willingness (Erin is a lawyer) to draw up the initial draft of the bill made the reality of the CBRS happen.

**Erin Dickerson's Story:** On March 29th 2004, I was nine months pregnant with a kicking healthy baby boy. His nursery was complete. We had decided on his name, and we were waiting for him to join our family of three. However, the next day, on March 30th 2004, after 12 hours of labor, James Lincoln Dickerson was born still. He was 6.4lbs and 21 inches long, with thick curly brown hair, chubby cheeks, his daddy's cleft chin, and perfect in every way. After testing of James and of me, we were left with no answer as to why he died. I had given birth, and instead of leaving the hospital with our new son, I left with a teddy bear and a memento box.

When I came home from the hospital I sat in my son's cowboy nursery and sobbed. My heart was broken. Our dreams for this boy were shattered so suddenly. I never imagined I would have to explain to our daughter that her baby brother had died, or that I would have to repeat the explanation every time she saw me crying.

All I have of James is a few pictures, a hospital bracelet, and sympathy cards. I cling to these tangible mementos, because they are the only proof of this experience. I cannot describe how painful it is to grieve so deeply for someone no one else knows.

I learned I could get a fetal death certificate from Vital records. Then I thought that if I can get a death certificate, then I must be able to get a birth certificate. I researched on the Internet and discovered that there are many states that have Certificates of Birth Resulting in Stillbirth for stillborn babies, but unfortunately, I do not live in one of those states. Georgia only recognize my son's death.

I remember thinking that day that I wanted a CBRS for James. At that time, my grief was so consuming that I didn't consider that a day would come where I could seek legislation to make these certificates a reality. In the four years since James' death, I have met countless other grieving moms and dads through SHARE Atlanta, a pregnancy and newborn loss grief support group. I began to understand that these families shared not only my grief, but the desire to have their precious baby recognized and their experience validated. Our babies were born, and we want a certificate that recognizes their birth, not just their death. I want a CBRS as tangible proof that this child who forever changed me, was real, and was here, if only for a short time.

Nothing can bring these children back to us, but a CBRS offers recognition, validation, and compassion. A CBRS is a step toward healing for Georgia families grieving the loss of their baby.

**The Making of a Law-A Two Person "Team"- Erin & Marcia:** We researched the CBRS bills of the 21 states and decided what needed to be in GA's law. Because of Erin's background as a lawyer, she felt that the SC and FL laws most closely resembled a GA law. Erin drew up the draft of the "No Heartbeat Act." The name was chosen by Adrienne Verbanac (Nathaniel stillborn 10.06) because of Roger Deane's poem.

We wrote an Overview as to the mission, background and reasons for the CBRS. We each wrote our testimony for the committees in the Senate and the House. We felt the need to represent the PNLC in a positive manner. Our message to the legislators and their staff needed to better clarify the PNLC and our mission.

We presented the No Heartbeat Act Overview and bill's draft to our sponsor, Senator Dan Weber. His legal staff approved it. It became SB 381—The No Heartbeat Act. Senator Weber confirmed that other states had achieved this law and that there was a definition of stillbirth in the document.

## SB 381—GA CBRS-Part 3 continued...

**Initial Support of Rep. Fran Millar, Senator Dan Weber, Rep. Wendell Willard (Marcia's experience):** Pregnancy and newborn loss issues aren't always easily accepted. When I initially called Rep. Fran Millar and then Senator Dan Weber and, later, Rep. Wendell Willard, I explained much that is in this article. I feared that they might turn me away. Even though, I have learned how to address these issues, I remember the denial by those outside of the Pregnancy and Newborn Loss Community (PNLC). When each responded that this was an important piece of legislation, I was overjoyed. Their confirmation meant a great deal to Erin and me. Each worked to make the Certificate of Birth Resulting in Stillbirth (CBRS) a reality. Many of their fellow legislators were supportive of SB 381 when we came to the capitol. Erin and I thank our sponsors. They, along with the other legislators, have given the PNLC much validation.

**Support from SA Members, Family and Friends:** We needed to connect with legislators across Georgia so they would vote YES for SB 381. Numbers count. SHARE Atlanta's Reece Ritter (Dorothy Ellen stillborn '87) helped create the templates for a suggested format for calling and emailing legislators. There are over 500 names on the SHARE Atlanta (SA) list, and we also included private friends and family members in our call for action. Even in this campaign, legislators expressed that this was an important bill to pass. Tammy Campbell (Aidan stillborn 5.07) helped us during the last hectic weeks. These responses encouraged us.

**The Legislators Spoke:** Senator Weber guided SB 381 carefully through the Senate. On February 21, when he presented SB 381, he expressed the significance and goodness in supporting families with this special memento in memorance of their child. On April 4 in the House, Rep. Millar asked that the voting board be turned to a sea of green "Yes" votes. These would show compassion and human decency in passing SB 381. He hoped those involved with the CBRS would have a favorable memory of the General Assembly.

With the House and Senate vote, around 200 legislators voted "YES" (Senate-48 to 0; House-162 to 3) to giving Georgia families' comfort with a memorial document for babies who died too soon. Ten years ago, this could not have happened with such overwhelming support. During the Assembly, 5 or 6 legislators told us that they experienced a similar loss, and that this bill was meaningful to them. Many couldn't believe that a stillborn baby's birth wasn't already recognized. Advocacy has made a difference. As we departed from the capitol late on day 40, the last day of the session, we rejoiced in the incredible support that the legislators had given The No Heartbeat Act!

**Gov. Perdue signed SB 381 on May 12, 2008.** We had a very pleasant signing ceremony with Gov. Perdue on May 29. Sen. Weber, Rep. Millar, Erin and her daughter, Sara Grace, Marcia, and Tammy and Chris Campbell (SA mom and dad..Tammy had helped us with some paper work and brainstorming) were present. Gov. Perdue asked us what the genesis of this bill was. Erin and I briefly answered. He said it was a good and needed piece of legislation, and he was pleased to sign it. He spent about 10 minutes with us - a lasting memory for sure.

**Allie's Note—The Importance of the Certificate of Birth Resulting in Stillbirth:** The work to achieve this law gave grieving parents a window to help others understand the importance of advocacy: Allie Brokoff (Ethan stillborn in 8.07) wrote:

"Thank you for everything that you did to get the bill passed. I know that it was a lot of work and worry on your and Erin's part. Everyone who experiences this heartache in Georgia in the future will now not have the added insult of finding out that to the state, their children didn't matter. A friend asked me why I was so anxious over the passage of the bill because "it's just a piece of paper." Thank you so much for recognizing that it is not just a piece of paper, and for making it a reality. Thank you, too, for allowing me to be a part of the end process. I felt like I was finally doing something, instead of just watching as events unfold. The loss of control, of not being able to do anything, was extremely hard for me. Thank you for letting me do something for Ethan, even if it was something so small as sending emails and calling some people." Sincerely, Allie

SB 381—The Making of a Law -  
No Heartbeat Act—GA CBRS  
Erin Dickerson & Marcia McGinnis  
April 2008  
For more information:  
[www.shareatlanta.org/legacy/GACGBRS.htm](http://www.shareatlanta.org/legacy/GACGBRS.htm)

**A Certificate of Birth  
Resulting in Stillbirth (CBRS)  
for Georgia Families**



**In Memory of All of the  
Precious Babies Born Still**

**On the Signing of the No Heartbeat Act, May 29, 2008**

By Erin Dickerson

On Thursday, May 29th, Governor Perdue signed the No Heartbeat Act/SB 381 for the Certificate of Birth Resulting in Stillbirth (CBRS) in a small ceremony. Present were Marcia McGinnis (the other half of the driving force behind the bill), Chris and Tammy Campbell (a SHARE Atlanta family that supported us in memory of their stillborn son Aidan) and my little Sara Grace. Also pictured on the left is Rep. Fran Millar, who championed our bill in the House, and on the right is Sen. Dan Weber, our primary sponsor and champion in the Senate.

Immediately upon meeting, Sara Grace presented Gov. Perdue with some magnolias from Marcia's yard. Gov. Perdue scooped her up and posed for pictures with her sitting on his desk. He was so gracious, pouring over Sara Grace with lots of compliments. She was eating it up. We all gathered around his desk while he (and Sara Grace) signed the bill. He spent about 10 minutes with us, and added that he was very pleased to sign our bill, as he thought it was a great piece of legislation. We do too! It was a wonderful afternoon, and a great ending to all of our hard work over the last few months. It has been amazing to hear from moms and dads, from all over the state, about how much a Certificate of Birth for their baby born still means to them.

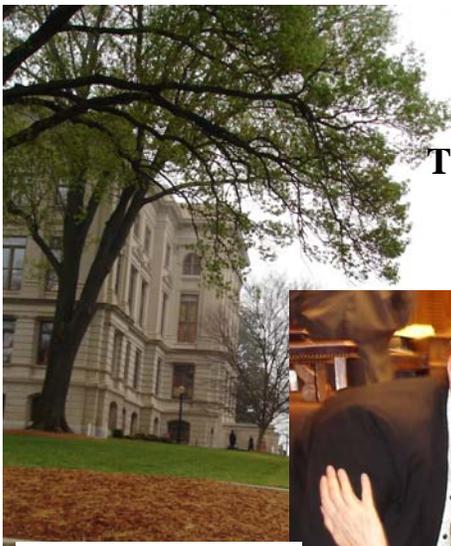
I testified before the General Assembly that one of the hardest things about having a stillborn child is that you grieve so deeply for a person that no one else knew. This is only made worse by the fact that the birth of that child also goes unrecognized. This bill makes it possible to officially recognize the births of these babies, which can be a step toward healing for grieving families.

On a personal note, undertaking this project has been tremendously healing for me as well. One of my favorite scriptures is Phillipians 4:13, "I can do all things through Christ who strengthens me." God strengthened me in ways I could not have imagined to see this bill through to passage. I will always miss James Lincoln, and wonder what our family would be like if he was here (he would have been 4 on March 30), but it is incredibly rewarding to do something lasting in his memory. I personally believe that this is just a small example of how God does not waste the tragedies in our life, but rather, if we let Him, He works it together for good.

I cannot thank my family, friends, friends of SHARE Atlanta, and others for all of their support throughout this process. Thank you also for your emails and phone calls to your legislators. Your voices were heard in the General Assembly, and much of our success is owed to you. More info.: [www.shareatlanta.org/legacy/GACBRS.htm](http://www.shareatlanta.org/legacy/GACBRS.htm)



**The Road to the Georgia General Assembly...2008**  
**A New Law... "No Heartbeat Act" SB 381**  
**The Certificate of Birth Resulting in Stillbirth (CBRS)...**  
**January 14—May 29, 2008**  
[www.shareatlanta.org/legacy/GACBRS.htm](http://www.shareatlanta.org/legacy/GACBRS.htm)



**Together we can make a difference!**



**Official Signing of the No Heartbeat Act**  
 Rep. Fran Millar, Tammy and Chris Campbell, Gov. Perdue, Erin and daughter Sara Grace Dickerson, Sen. Dan Weber, Marcia McGinnis



**Senator Dan Weber, SB 381's sponsor, On the Senate Floor after Final Passage of Bill, Day 40 at 10 pm**  
 Lt to rt: Tammy Campbell, Tamara Partiss, Erin Dickerson, Gail Kaley, Marcia McGinnis



Magnolias for the Governor



Sara Grace helps sign..



**Rep. Wendell Willard after passing of SB 381, Day 40.**  
 Rep. Willard "carried" our bill onto the House Floor.



**SA Moms- Last Day of Session—**  
 It-rt: Tammy, Tamara, Teresa Cochran, Donna, Erin and Marcia, not pictured Jennifer O'Connor



**Lark's Mementos in the House:** Donna Wilkerson-Wever stayed all day to see the bill passed.

- Precious Babies Born Still—SHARE Atlanta Families**
- Aidan Grey Campbell, May 16, 2007 at 22 weeks
  - Evan David Cochran, February 18, 2001 at 40 weeks
  - James Lincoln Dickerson, March 30, 2004 at 36 wks
  - Liam Joseph Nulty, February 6, 2005 at 38 weeks
  - Lee Kenneth Partiss III, February 13, 2006 at 40 wks
  - Lark Adell-Delores Wever, January 12, 2008

SHARE Atlanta: Pregnancy and Newborn Loss Grief Support Since 1984