

# CALIFORNIA LEGISLATURE

STATE CAPITOL  
SACRAMENTO, CALIFORNIA  
95814

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02/08/2023

## RE: Audit of California's Fetal Death Certificate Process

Dear Chair Alvarez and Members of the Committee:

We are writing to respectfully request that the Joint Legislative Audit Committee approve an audit on the fetal death certificate and Certificate of Stillbirth process. Fetal death certificates and Certificates of Stillbirth are issued in California when a death of a fetus occurs after 20 completed weeks of gestation.

### BACKGROUND

Fetal death certificates have been maintained by the California Department of Public Health (CDPH)—Vital Records since July 1, 1905. In California, each fetal death in which the fetus has advanced to, or beyond, the twentieth week of gestation is required to be registered with the local registrar of births and deaths in the district where the fetal death was pronounced. A *Certificate of Still Birth* is issued when a fetal death occurs after 20 completed weeks of gestation. A death certificate must be filed with the local registrar within eight days of death, and prior to cremation or burial. This fetal death certificate or Certificate of Still Birth must be requested in the county where the death occurred or from CDPH.

The process to issue a fetal death certificate is nuanced, often times bouncing information back and forth from doctors, to county coroner's offices to funeral homes to CDPH. Because of this, it can take weeks for each office to verify the information specific to their role in this process, and if even one small bit of information is rejected the process starts over from scratch.

Per the CDPH, *the average time to process a fetal death certificate is 6-8 weeks*. While some cases take longer than 6-8 weeks, the average of 6-8 weeks is far too long when a parent is grieving the death of their child and are hoping for closure through the funeral process—which cannot start until receiving this certificate. It is unacceptable for the process to take two months, as parents wait to bury their babies. *Parents cannot bury their children without a finalized death certificate, and their baby's body will lie in the hospital or county morgue until the certificate is finalized*. The insurmountable grief and despair, and uncertainty that parents feel knowing their child lays alone, while waiting for their finalized certificate only compounds their loss, and remains in the back of their mind until their child is released. Other states have much shorter turnaround times to receive fetal death certificates, for example, the normal processing time for a fetal death certificate in Florida is less than 1 week.

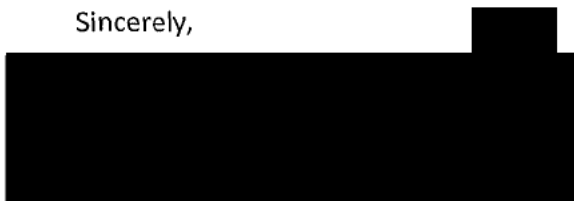
### SCOPE OF AUDIT

We are requesting the California State Auditor conduct an audit of the fetal death and stillbirth certificate processes at CDPH and a selection of four counties, including Sacramento, Placer and two counties chosen by the State Auditor. The audit should include but not be limited to, the following:

- 1) Review and evaluate the laws, rules and regulations significant to audit objectives.
- 2) Review the statewide oversight of the fetal death and stillbirth certificate processes.
- 3) To the extent possible, assess the timeliness of the fetal death and stillbirth certificate processes, and determine for the most recent five years the CDPH average, statewide county average, and individual county averages of processing times for fetal death and stillbirth certificates. If statewide county averages are not available, determine for the most recent five years the average processing times for fetal death and stillbirth certificates for the four selected counties.
- 4) At the four selected counties, compare and contrast the following:
  - a. The roles and responsibilities of each agency, office, and individual involved in the fetal death and stillbirth certificate process.
  - b. The policies and procedures used and training received by the various agencies, offices, and individuals involved in the process.
  - c. The impact that differences in county processes or other external factors, like COVID-19, had on the amount of time it took to process fetal death and stillbirth certificates.
  - d. The differences, if any, in the process for issuing fetal death and stillbirth certificates that exist between fetal deaths and stillbirths that happen at home and fetal deaths and stillbirths that happen in a hospital.
  - e. The differences, if any, that exist between county processes and procedures of attended and unattended fetal deaths and stillbirths.
- 5) Review and assess any other issues that are significant to the audit, and determine a more reasonable timeframe for California families who find themselves in this heartbreaking situation to be able to bury their littlest loved ones.

We appreciate the Committee's time and attention to this matter, thank you for your consideration of this audit request. Please do not hesitate to contact Michelle Sherwood in Senator Ashby's office at (916) 651-4008 with any questions.

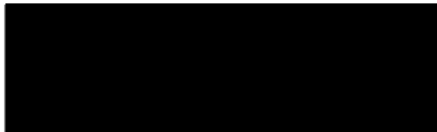
Sincerely,



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Senator, 8<sup>th</sup> District



MELISSA HURTADO  
Senator, 16<sup>th</sup> District



STEPHANIE NGUYEN  
Assemblymember, 10<sup>th</sup> District



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Assemblymember, 74<sup>th</sup> District



DAWN ADDIS  
Assemblymember, 30<sup>th</sup> District



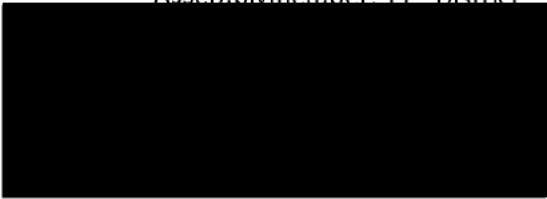
LUZ RIVAS  
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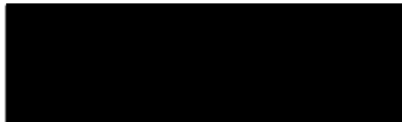
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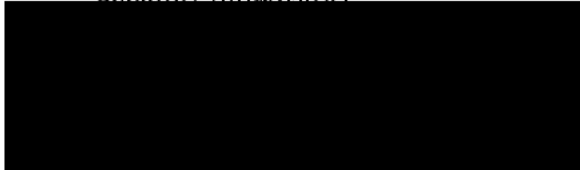
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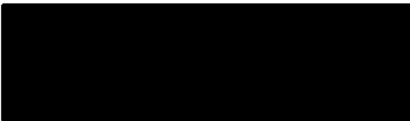
MARIE WALDRON  
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