



SENATE BILL 458: Posttraumatic Stress Injury Awareness Day/Titus's Law/Data.

2019-2020 General Assembly

Committee:	Date: January 6, 2020
Introduced by:	Prepared by: Jessica Boney
Analysis of: S.L. 2019-225	Staff Attorney

OVERVIEW: S.L. 2019-225 does the following:

- *Designates June 27th of each year as Posttraumatic Stress Injury Awareness Day in the State.*
- *Requires parental consent before disposing of fetal remains in every instance of unintended fetal death resulting from accidental injury, stillbirth, or miscarriage. If both parents are unable to consent within 7 days, the fetal remains are to be disposed of in accordance with applicable laws and regulations.*
- *Directs the disposal of fetal remains only by burial, cremation, or incineration in accordance with applicable laws and regulations.*
- *Authorizes engagement between various State agencies and third party toxicology laboratories to provide data to guide the delivery of drug treatment and law enforcement resources.*

The section of this act addressing parental consent and the disposition of fetal remains became effective January 1, 2020 and applies to the disposition of fetal remains on or after that date. The remainder of the act became effective September 18, 2019.

BILL ANALYSIS: The act does the following:

PART I. Designate Posttraumatic Stress Injury Awareness Day

Section 1 enacts G.S. 103-15, designating June 27th as Posttraumatic Stress Injury Awareness Day in North Carolina.

PART III. Address Parental Consent and the Disposition of Fetal Remains

Section 8.(a) requires in every instance of unintended fetal death resulting from accidental injury, stillbirth, or miscarriage:

- Consent from the mother before disposing of fetal remains;
- If the mother is unable to give consent, then consent from the father before disposing of fetal remains;
- If both parents are unable to give consent within 7 days, then the fetal remains are to be disposed of in accordance with applicable laws and regulations.

Section 8.(a) directs the disposal of fetal remains only by burial, cremation, or incineration in accordance with applicable laws and regulations. Fetal remains developed beyond the second trimester of gestation shall only be disposed of by burial or cremation.

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Section 8.(b) states this section is effective January 1, 2020 and applies to the disposition of fetal remains on or after that date.

PART IV. Authorize Engagement with Third Party Toxicology Laboratories to Guide Resources

Section 9 authorizes the Department of Health and Human Services, the Department of Justice, local health departments and local law enforcement agencies to engage with third party toxicology laboratories. The purpose of this engagement is to provide data to guide the delivery of drug treatment and law enforcement resources.

EFFECTIVE DATE: The section of this act addressing parental consent and the disposition of fetal remains became effective January 1, 2020 and applies to the disposition of fetal remains on or after that date. The remainder of the act became effective September 18, 2019.