



Pennsylvania House Bill 118 (Forced death certificate/"fetal burial" bill)

Summary: HB 118 is an attack on Pennsylvanians who experience miscarriage, an ectopic pregnancy, or abortion. HB 118 changes the definition of "fetal death" to "a product of conception" from any point in pregnancy and furtively mandates a death certificate—creating a public record that enables the government to track pregnancy outcomes, violates medical privacy, and compromises patient safety.

- **HB 118 mandates a death certificate for a fertilized egg.** Under current law, fetal death certificates and subsequent burial/cremation are mandated at 16 weeks. This bill extends that mandate to a fertilized egg.
- **HB 118 violates medical privacy.** Death certificates must be filed to the state. Currently, a "brother, sister, half-brother, half-sister, grandparent, great-grandparent" and "extended family members" can order a fetal death certificate. All death certificates become public in 50 years.
- **HB 118 mandates a radical change to current hospital/healthcare facility protocol for handling medical tissue at increased cost for no medical purpose.** Healthcare providers will be responsible for increased cost, which is unspecified and unknown. It is also unknown if the infrastructure exists to accommodate these medically irrelevant changes.
- **HB 118 seeks to imprison physicians.** A physician's legal obligations to a "product of conception" expelled from a patient's body in early miscarriage is unclear. Physicians found not in compliance are subject to fines and up to 30 days in jail.
- **Patients may be traumatized when asked a name for the death certificate.** This law would apply to patients who have an abortion or miscarriage. This crude attempt to shame people for all pregnancy outcomes that do not result in a live birth may traumatize patients whose personal or religious beliefs about their own pregnancy do not match the sponsors' beliefs.
- **Pennsylvanians who do not share lawmakers' personal and religious beliefs will be financially penalized.** Patients who do not share the beliefs of the lawmakers supporting this mandate will have to pay a financial penalty to arrange something else. That cost is not specified.
- **It is unclear how HB 118 disrupts pathological analysis.** Pathologists have lobbied against similar bills in other states because it would have forced pathologists inspecting medical tissue related to miscarriage to order a death certificate and make burial/cremation arrangements.
- **HB 118 may dissuade people experiencing miscarriage from seeking critical medical care.** A person who suspects they are miscarrying may not seek professional diagnosis and medically appropriate aftercare if they know the beliefs of Pennsylvania politicians will be imposed on them and that their pregnancy outcome will be tracked by the government.