

SAUL'S • LIGHT

HB 146: STILL-  
BIRTH TAX  
CREDIT BILL  
TOOL KIT





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## HOW A TAX BENEFIT HELPS

HB 146

### FINANCIAL

Families of stillborns face the same costs as other families while preparing for their baby during pregnancy (nursery, clothes, diapers, etc.) and at birth (hospital bills, etc.). In addition, they face unexpected costs associated with testing (autopsy, placental pathology, genetic screens), funeral and (required) burial/cremation expenses, time away from work, mental health support, etc.

### EMOTIONAL

Families of stillborns receive very little acknowledgement of their status as parents or their baby's existence from both the government and general public. Stillborn babies are not eligible for a birth certificate or social security number, and do not currently count as dependents for tax purposes. There is a lack of parity under our current laws, as a baby who is born at any gestational age (even prior to viability) and shows any single sign of life (one breath, one heartbeat, one twitch, or one pulse in the umbilical cord), is afforded this acknowledgement (and the dependent tax benefit in the year of their birth) - but a fetus who may have been carried for 9 full months and died only moments before birth does not "count."

### CULTURAL

There is very little awareness of stillbirth among the general population because it is still considered a "taboo" subject, and as a result, most pregnant women are not educated about simple steps they can take to reduce their risk (such as paying attention to fetal movement, sleeping on their side to improve bloodflow, and speaking up when their intuition raises alarms), and do not know where to turn for support if fetus dies. By bringing this subject into the light of the legislative process, not only will families of stillborn babies receive the precious gift of acknowledgment, but more women will be educated about the subject and therefore be empowered to protect their pregnancies or know how to get the support they deserve if tragedy strikes.

#### FISCAL NOTES

The maximum cost of the Stillbirth Tax Credit to Louisiana in any one tax year is estimated at:  
\$2,000 refundable credit x ~325 stillbirths/year =  
\$65,000 per year

\*let us remember that if these children had survived, their families would be entitled to potentially 18 years of dependent tax benefits.

#### WANT TO KNOW MORE?

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# How can I Help?

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1. Find your Legislators
2. Tell them why HB 146 matters
3. Share Saul's Light's Social Media Posts
4. Tell your people to tell their people!

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# Email Template for Legislators

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Dear Representative (Type your local representative or senator's name here).

I hope this email finds you in good health. I am reaching out today to let you know about the bill HB 146 that will be in the upcoming April 2021 session. This bill is very important to me and so many families in Louisiana. HB 146 is written by Representative Hilferty and presented by Saul's Light. Saul's Light is an organization based in New Orleans that helps provide services to improve NICU and bereavement care throughout Louisiana.

Specifically, this bill will provide families who experience stillbirth a tax credit for the year their baby was born still. The financial burden of losing a child is only one of the many burdens that come with losing your new born baby. Passing this bill will recognize and acknowledge those baby's lives who are taken from Earth too soon.

To ensure that families who experience stillbirth from here on out in Louisiana are not forgotten, it is crucial that HB:146 passes in this session. Please let me know if you have any questions or direct your questions to [advocacy@saulslight.org](mailto:advocacy@saulslight.org).

**\*If you are comfortable sharing and have a personal relationship or testimony with stillbirth, an email is a perfect place to do this. Legislators want to hear from the people they represent directly to get a better idea of how this bill will help.**

Best,

**OR WRITE YOUR OWN**  
If you can, write your own. Legislators like to hear directly and honestly from the people they represent

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# FACTS ABOUT STILLBIRTH

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1. If these children had survived, their families would be entitled to potentially 18 years of dependent tax benefits which would almost certainly total to cost the state far more than the Still Birth Tax Credit
2. A baby born at 17 weeks with a heartbeat is given a birth certificate and the parents can claim them as dependent for that year. However, a baby born at 41+ weeks who dies during childbirth does not qualify for a birth certificate.
3. The American College of Obstetricians and Gynecologists, public health groups, and both pro-life and pro-choice groups have shown support for this bill in other states.
4. There are 7+ states who have already passed a Still Birth tax credit bill. Louisiana would be the first of the southern states.
5. Louisiana loses around 325 babies to Still Birth every year.
6. The tax credit will help to cover medical bills, funeral costs, maternity benefit/leave, psychiatric costs and therapy, medical investigation, etc.

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# Frequently Asked Questions

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## 1. How much do families typically see in unexpected costs after a Still Birth?

-From 7/30/19 Vox Article:

"Stillbirths are devastating. Why are they so expensive? The average Still Birth delivery cost is more than \$750 higher than that of the average live birth.

"In less than 24 hours...the hospital charges amounted to \$16,256 before insurance. Out-of-pocket costs were \$1,600. For context, the average live birth delivery in the United States costs \$10,808 before insurance"

"\$2,630 for additional blood tests, ordered for diagnostics to see what might have gone wrong"

"turned to GoFundMe, where she was able to raise \$5000. 'The money collected allowed us to pay for her obituary in the paper, her burial plot, casket spray, photo canvases for ceremony, and the funeral itself"

Comments from Star Legacy National on typical infant autopsy costs:

"We've seen everything from a pathology department not charging to several thousands of dollars. In addition, if advanced genetic testing is done, we've seen bills up to \$10,000! I know that isn't very specific but the bottom line is, it is all over the board!"

"I called my health insurance company and got a quote of \$3000 just for a standard infant autopsy. It does vary by state and insurance orgs but this at least gives you a baseline."

## 2. Isn't this going to be expensive for Louisiana?

The maximum that this tax benefit could cost Louisiana State each year is ~325 stillbirths x \$2000 tax credit = \$650,000. This is only a VERY small portion of our state budget.

(And that is assuming that all families who suffer a stillbirth a) are aware of the Certificate of Still Birth, b) complete several onerous steps to request a Certificate of Still Birth, c) are aware of the tax credit, and d) complete the process to claim the tax credit.) The actual expected cost is far lower. In addition, the Still Birth rate in Louisiana has been on the decline for several years and these numbers are expected to continue to fall.

That all being said, if these children were born alive, would anyone ever begrudge them the anticipated 18 years of dependent tax benefits their families would be eligible for, which poses a far greater cost to the state? And does anyone begrudge families whose infant dies in their first year of life the dependent tax benefit they qualify for in the year their child lived? This bill is just intended to provide parity and show that all children "count" in the eyes of Louisiana State.

## 3. Why a refundable tax credit instead of an exemption?

A refundable credit means that the lowest income families - those who do not otherwise pay taxes and would therefore not benefit at all from an exemption - would still be able to claim this tax benefit when their child is stillborn. These families are hit the hardest by the unexpected costs associated with their baby's death, and so the Still Birth Tax Credit bill is designed as a refundable tax credit so that all families - especially those who are most in need - are able to benefit from it.

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## 4. Why \$2000?

Around \$2000 is the very minimum that any family who suffers a Still Birth can expect to pay in unanticipated costs resulting from their baby's death (see above for more detail). In addition, there is precedence for this tax credit amount in several other states which have passed or are considering similar laws.

## 5. Is this a political bill?

No. This is a non-partisan bill that will support bereaved families. The tax credit offers financial support for grieving families to pay for mental health services, medical bills, autopsy costs, funeral/burial costs, and nursery/other expenses. The bill additionally acknowledges the innumerable hardships that come with losing a child.

There are well-defined medical criteria that must be met for a pregnancy loss to qualify as a Still Birth, and these criteria are already encoded into Louisiana state law and are not being modified as part of this bill. In order to claim the Still Birth Tax Credit, families must include the file number on their Certificate of Still Birth, and the Louisiana State Department of Health already has a very clear process and regulations in place to determine who is eligible for Certificate of Still Birth - part of that process includes verifying that the baby's Fetal Death Certificate indicates a spontaneous fetal demise. If a family has been provided a Certificate of Still Birth, you can be assured that they suffered the unintended death of their baby at or after 20 weeks gestation.

## 6. What is Saul's Light's role in this bill?

While many of the families advocating for this bill are also volunteers for Saul's Light, the organization itself is NOT directly involved in lobbying for the bill or promoting the legislators who are sponsoring the bill; as a 501(c)(3) non-profit organization, Saul's light is prohibited by law from engaging in any type of lobbying activity. Instead, Saul's Light provides educational materials to help inform families and legislators about the issues the bill seeks to address, and provides guidance to individual citizens about how they can participate in the legislative process. While Saul's Light fully supports this proposed legislation, all views expressed and actions taken by family advocates in support of the Still Birth Tax Credit bill are the opinions of the individual and do not represent the opinions or actions the Saul's Light.

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## Relevant Articles:

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1. From Diagnostics to autopsy to burial, Stillbirths are alarmingly expensive in the America

<https://www.vox.com/the-highlight/2019/7/23/20698480/stillborn-stillbirth-baby-costs-expensive>

2. Dear tech companies, I don't want to see pregnancy ads after my child was stillborn

<https://www.washingtonpost.com/lifestyle/2018/12/12/dear-tech-companies-i-dont-want-see-pregnancy-ads-after-my-child-was-stillborn/>

3. New Zealand Approves Paid Leave After Miscarriage

[https://www.nytimes.com/2021/03/25/world/asia/new-zealand-miscarriage-paid-leave.html?fbclid=IwAR1oCT6ILzU7xcNZ-HFUllolXlemT28l8auQxmjJhhKGWrmxHPA\\_RhNJIPw](https://www.nytimes.com/2021/03/25/world/asia/new-zealand-miscarriage-paid-leave.html?fbclid=IwAR1oCT6ILzU7xcNZ-HFUllolXlemT28l8auQxmjJhhKGWrmxHPA_RhNJIPw)

4. Stillbirth is more common than you think – and we're doing little about it

<https://www.washingtonpost.com/posteverything/wp/2016/05/16/stillbirth-is-more-common-than-you-think-and-were-doing-little-about-it/>

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