

### 144.1 Definitions.

As used in [this chapter](#), unless the context otherwise requires:

1. “*Court of competent jurisdiction*” when used to refer to inspection of an original certificate of birth based upon an adoption means the court where the adoption was ordered.
2. “*Cremated remains*” means all the remains of the cremated human body recovered after the completion of the cremation process, including pulverization which leaves only bone fragments reduced to unidentifiable dimensions, and may include the residue of any foreign matter including casket material, bridgework, or eyeglasses that were cremated with the human remains.
3. “*Cremation*” means the technical process, using heat and flame, that reduces human remains to bone fragments, with the reduction taking place through heat and evaporation. Cremation shall include the processing, and may include the pulverization, of the bone fragments.
4. “*Dead body*” means a lifeless human body or parts or bones of a body, if, from the state of the body, parts, or bones, it may reasonably be concluded that death recently occurred.
5. “*Department*” means the department of health and human services.
6. “*Fetal death*” means death prior to the complete expulsion or extraction from its mother of a product of human conception, irrespective of the duration of pregnancy. Death is indicated by the fact that after expulsion or extraction the fetus does not breathe or show any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles. In determining a fetal death, heartbeats shall be distinguished from transient cardiac contractions, and respirations shall be distinguished from fleeting respiratory efforts or gasps.
7. “*Filing*” means the presentation of a certificate, report, or other record, provided for in [this chapter](#), of a birth, death, fetal death, adoption, marriage, dissolution, or annulment for registration by the department.
8. “*Final disposition*” means the burial, interment, cremation, removal from the state, or other disposition of a dead body or fetus.
9. “*Institution*” means any establishment, public or private, which provides inpatient medical, surgical, or diagnostic care or treatment, or nursing, custodial, or domiciliary care to two or more unrelated individuals, or to which persons are committed by law.
10. “*Live birth*” means the complete expulsion or extraction from its mother of a product of human conception, irrespective of the duration of pregnancy, which, after such expulsion or extraction, breathes or shows any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles, whether or not the umbilical cord has been cut or the placenta is attached. In determining a live birth, heartbeats shall be distinguished from transient cardiac contractions, and respirations shall be distinguished from fleeting respiratory efforts or gasps.
11. “*Record*” kept by a county auditor, assessor, treasurer, recorder, sheriff, or other county officer means the county system as defined in [section 445.1](#).
12. “*Registration*” means the process by which vital statistic records are completed, filed, and incorporated by the department in the department’s official records.
13. “*State registrar*” means the state registrar of vital statistics.
14. “*System of vital statistics*” includes the registration, collection, preservation, amendment, and certification of vital statistics records, and activities and records related to the records including the data processing, analysis, and publication of statistical data derived from such records.
15. “*Vital statistics*” means records of births, deaths, fetal deaths, adoptions, marriages, dissolutions, annulments, and data related to the records.

[C24, 27, 31, 35, 39, §2317, 2384; C46, 50, 54, 58, 62, 66, §141.1, 144.1; C71, 73, 75, 77, 79, 81, §144.1]

83 Acts, ch 101, §21; 97 Acts, ch 159, §7; 99 Acts, ch 141, §14, 15; 2000 Acts, ch 1148, §1; 2002 Acts, ch 1119, §200, 201; 2020 Acts, ch 1025, §1; 2023 Acts, ch 19, §246

Referred to in §252A.2, 714I.2  
Section amended