An Act

ENROLLED HOUSE
BILL NO. 3171

By: Hickman, Faught and Pittman of the House

and

Anderson and Johnson (Constance) of the Senate

An Act relating to public health and safety; amending 63 O.S. 2001, Section 1-317, which relates to the filing of death certificates; requiring filing with State Department of Health; providing certain individuals to sign death certificate; providing that personal data be entered into prescribed electronic system by certain date; requiring State Registrar of Vital Statistics to make available a prescribed electronic system in which to file death certificates; requiring registration and training by certain individuals; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 63 O.S. 2001, Section 1-317, is amended to read as follows:

Section 1-317. (a) A death certificate for each death which occurs in this state shall be filed with the ~~local registrar of the district in which the death occurred~~ State Department of Health, within three (3) days after such death ~~and prior to burial or removal of the body; provided that,~~

~~(1) if the place of death is unknown, a death certificate shall be filed in the registration district in which a dead body is found, within three (3) days after such occurrence; and~~

~~(2) if death occurs in a moving conveyance, a death certificate shall be filed in the registration district in which the dead body was first removed from such conveyance~~.

(b) The funeral director ~~or~~ shall personally sign the death certificate and shall be responsible for filing the death certificate. If the funeral director is not available, the person acting as such who first assumes custody of a dead body in accordance with Section 1158 of Title 21 of the Oklahoma Statutes shall personally sign and file the death certificate. ~~He shall obtain the~~ The personal data shall be obtained from the next of kin or the best qualified person or source available. ~~He shall complete the~~ The certificate shall be completed as to personal data and ~~deliver the certificate~~ delivered to the attending physician or the medical examiner responsible for completing the medical certification portion of the certificate of death within twenty-four (24) hours after the death. No later than July 1, 2012, the personal data shall be entered into the prescribed electronic system provided by the State Registrar of Vital Statistics and the information submitted to the State Registrar of Vital Statistics. The resultant certificate produced by the electronic system shall be provided to the physician or medical examiner for medical certification within twenty-four (24) hours after the death.

(c) The medical certification shall be completed and signed within forty-eight (48) hours after death by the physician in charge of the patient's care for the illness or condition which resulted in death, except when inquiry as to the cause of death is required by Section 938 of this title.

(d) In the event that the physician in charge of the patient's care for the illness or condition which resulted in death is not in attendance at the time of death, the medical certification shall be completed and signed within forty-eight (48) hours after death by the physician in attendance at the time of death, except when inquiry as to the cause of death is required by Section 938 of this title. Provided that such certification, if signed by other than the attending physician, shall note on the face the name of the attending physician and that the information shown is only as reported.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-317a of Title 63, unless there is created a duplication in numbering, reads as follows:

A. The State Registrar of Vital Statistics shall make available to all funeral directors and physicians licensed in this state a system to electronically capture the required information and file the prescribed death certificate with the State Department of Health. Access to the prescribed electronic system shall be provided to registered users at no cost.

B. Funeral directors and physicians shall be registered with the State Registrar of Vital Statistics prior to using the prescribed electronic system. The State Registrar of Vital Statistics shall provide such registration at no cost.

C. Registration shall be updated at least annually to maintain access to the prescribed system and shall include training on any changes or updates to the prescribed system or associated forms. Funeral directors licensed in this state shall be trained on the use of the prescribed electronic system to file personal data on the prescribed death certificate. Physicians licensed in this state shall be trained on the use of the prescribed electronic system to complete, sign, and file the medical certification on the prescribed death certificate. The State Registrar of Vital Statistics shall provide the required training at no cost.

D. No later than July 1, 2012, funeral directors licensed in this state shall be required to sign and file death certificates using the prescribed electronic system.

SECTION 3. This act shall become effective November 1, 2010.

Passed the House of Representatives the 27th day of May, 2010.

Presiding Officer of the House of Representatives

Passed the Senate the 28th day of May, 2010.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Governor this 28th

day of May, 2010,

at 8:45 **o'clock** P **M.**

By:

Approved by the Governor of the State of Oklahoma the 7th **day of**

June, 2010, **at** 9:24 **o'clock** P **M.**

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Secretary of State this

8th **day of** June, 2010,

at 4:38 **o'clock** P. **M.**

By: M. Susan Savage