

An Act

ENROLLED HOUSE
BILL NO. 2586

By: Perryman of the House

and

Jech and Pittman of the
Senate

An Act relating to public health and safety; amending 63 O.S. 2011, Section 1-317, which relates to death certificates; providing that hospice medical director may sign medical certification under certain circumstances; amending 63 O.S. 2011, Section 1-317a, which relates to electronic capture of death certificates; requiring physicians to electronically file death certificates by certain date; requiring certain agencies to work together regarding permit applications; requiring certain agency to establish electronic accounts for funeral homes; providing for noncodification; and providing an effective date.

SUBJECT: Death certificates

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

SECTION 1. AMENDATORY 63 O.S. 2011, Section 1-317, is amended to read as follows:

Section 1-317. ~~(a)~~ A. A death certificate for each death which occurs in this state shall be filed with the State Department of Health, within three (3) days after such death.

~~(b)~~ B. The funeral director 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. The personal data shall be obtained from the next of kin or the best qualified person or source available. The certificate shall be completed as to personal data and 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, and no later than July 1, 2017, the medical certificate portion, 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)~~ 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)~~ 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:

1. When the patient is under hospice care at the time of death, the medical certification may be signed by the hospice's medical director; and

2. 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. AMENDATORY 63 O.S. 2011, Section 1-317a, is amended to read as follows:

Section 1-317a. 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.

E. No later than July 1, 2017, physicians licensed in this state shall be required to sign and file death certificates using the prescribed electronic system.

SECTION 3. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

A. The State Department of Health and the Office of the Chief Medical Examiner shall work together to ensure that the permit applications for cremations and out-of-state dispositions function together.

B. The State Department of Health shall establish electronic accounts for each funeral home in the state.

SECTION 4. This act shall become effective November 1, 2016.

Passed the House of Representatives the 29th day of February, 2016.

Jeff D. Dyer
Presiding Officer of the House
of Representatives

Passed the Senate the 11th day of April, 2016.

Anthony Siler
Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 12th

day of April, 20 16, at 2:46 o'clock P M.

By: Audrey Rockwell

Approved by the Governor of the State of Oklahoma this 18th

day of April, 20 16, at 2:44 o'clock P M.

Mary Fallin
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 18th

day of April, 20 16, at 3:05 o'clock P M.

By: Ch. Benz