

STATE OF OKLAHOMA

2nd Session of the 48th Legislature (2002)

COMMITTEE SUBSTITUTE
FOR
SENATE BILL 1666

By: Smith

COMMITTEE SUBSTITUTE

An Act relating to public health and safety; amending 63 O.S. 2001, Sections 1-329.1 and 947, which relate to cremation of bodies and death certificates; expanding requirements for issuance of certain permit; clarifying gender references; deleting stipulation related to charges for out-of-state transport of human remains; and providing an effective date.

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

SECTION 1. AMENDATORY 63 O.S. 2001, Section 1-329.1, is amended to read as follows:

Section 1-329.1 A. 1. Until a permit for disposal has been issued in accordance with this section, no ~~dead~~ body of a human body whose death occurred or was pronounced within the State of Oklahoma shall be cremated, buried at sea, transported to another state, or made unavailable for further pathologic study by other recognized means of destruction or dissolution of such remains.

2. a. When the person legally responsible for the disposition of ~~a dead~~ the body of a human body, whose death occurred or was pronounced within this state, desires that ~~the~~ such body be cremated, buried at sea, transported to another state, or made unavailable for further pathologic study by other recognized means of destruction or dissolution of such remains, that person shall complete an application-permit form for

such procedure, as provided by the Office of the Chief Medical Examiner.

- b. The Office of the Chief Medical Examiner shall charge a fee of One Hundred Dollars (\$100.00) for each ~~cremation~~ permit issued.
- c. The Chief Medical Examiner shall ~~be notified,~~ investigate any death that occurs or is pronounced within this state as required in Section 938 of this title. ~~He shall perform the required investigation and,~~ shall issue a valid death certificate as required by Section 947 of this title, and shall execute the permit in accordance with rules established by the Office of the Chief Medical Examiner; provided, however, the Chief Medical Examiner shall not be required to issue an independent death certificate in cases involving a permit to transport a body out of state.
- d. In order to be valid each permit must contain an individual number assigned to the particular permit by the Office of the Chief Medical Examiner.
- e. A copy of the application-permit form and the original death certificate shall be filed with the local registrar of vital statistics of the registration district in which the death occurred or was pronounced.
- f. The original application-permit form shall be filed by the funeral director with the Office of the Chief Medical Examiner. Such filing shall occur or be postmarked within forty-eight (48) hours of the death.

B. 1. If a death occurred or was pronounced outside the geographic limits of the State of Oklahoma and the ~~body is~~ remains are brought into this state for ~~such~~ disposal, a transit permit or a

permit for removal, issued in accordance with the laws and ~~regulations~~ rules in force where the death occurred, shall authorize the transportation of the body into or through this state and shall be accepted in lieu of a certificate of death as required above.

2. A valid permit issued for disposal of such body in accordance with the laws in the jurisdiction where the ~~body~~ person died or death was pronounced shall be authority for cremation ~~or~~, burial at sea or to make the body otherwise unavailable for further pathologic study by other recognized means of destruction or dissolution of such remains.

SECTION 2. AMENDATORY 63 O.S. 2001, Section 947, is amended to read as follows:

Section 947. A. The certification of death of any person whose death is investigated under this act shall be made by the Chief Medical Examiner, ~~his~~ a designee, or the medical examiner who conducted the investigation, upon a medical examiner death certificate provided by the State Registrar of Vital Statistics. Such death certificates shall be valid only when signed by a duly appointed medical examiner, the Chief Medical Examiner, or ~~his~~ a designee. Copies of all such certificates shall be forwarded immediately upon receipt by the State Registrar of Vital Statistics to the Office of the Chief Medical Examiner.

B. Any certification of death by an attending physician may be referred by the State Registrar of Vital Statistics to the Chief Medical Examiner for investigation and the amending of the original certificate of death by the filing of a medical examiner death certificate by the medical examiner or Chief Medical Examiner when the death is determined by the Chief Medical Examiner to be one properly requiring investigation under Section 938 of this title.

C. Medical examiner death certificates will not be required in cases investigated solely for the purpose of issuing a permit for transport of a body out of state.

~~D. The Board of Medicolegal Investigations shall not charge a fee for out-of-state shipment of human remains whenever the Office of the Chief Medical Examiner has not been required to conduct an investigation of the death.~~

SECTION 3. This act shall become effective November 1, 2002.

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