

CS for SB 1666

1 THE STATE SENATE
2 Tuesday, February 19, 2002

3 Committee Substitute for
4 Senate Bill No. 1666

5 COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 1666 - By: SMITH of the
6 Senate and RICE of the House.

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

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

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

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

23 2. a. When the person legally responsible for the
24 disposition of ~~a dead~~ the body of a human body, whose
25 death occurred or was pronounced within this state,
26 desires that ~~the~~ such body be cremated, buried at sea,
27 transported to another state, or made unavailable for

1 further pathologic study by other recognized means of
2 destruction or dissolution of such remains, that
3 person shall complete an application-permit form for
4 such procedure, as provided by the Office of the Chief
5 Medical Examiner.

6 b. The Office of the Chief Medical Examiner shall charge
7 a fee of One Hundred Dollars (\$100.00) for each
8 ~~exemption~~ permit issued.

9 c. The Chief Medical Examiner shall ~~be notified,~~
10 investigate any death that occurs or is pronounced
11 within this state as required in Section 938 of this
12 title. ~~He shall perform the required investigation~~
13 ~~and,~~ shall issue a valid death certificate as required
14 by Section 947 of this title, and shall execute the
15 permit in accordance with rules established by the
16 Office of the Chief Medical Examiner; provided,
17 however, the Chief Medical Examiner shall not be
18 required to issue an independent death certificate in
19 cases involving a permit to transport a body out of
20 state.

21 d. In order to be valid each permit must contain an
22 individual number assigned to the particular permit by
23 the Office of the Chief Medical Examiner.

1 e. A copy of the application-permit form and the original
2 death certificate shall be filed with the local
3 registrar of vital statistics of the registration
4 district in which the death occurred or was
5 pronounced.

6 f. The original application-permit form shall be filed by
7 the funeral director with the Office of the Chief
8 Medical Examiner. Such filing shall occur or be
9 postmarked within forty-eight (48) hours of the death.

10 B. 1. If a death occurred or was pronounced outside the
11 geographic limits of the State of Oklahoma and the ~~body is~~ remains
12 are brought into this state for ~~such~~ disposal, a transit permit or a
13 permit for removal, issued in accordance with the laws and
14 ~~regulations~~ rules in force where the death occurred, shall authorize
15 the transportation of the body into or through this state and shall
16 be accepted in lieu of a certificate of death as required above.

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

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

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

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

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

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

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

6 COMMITTEE REPORT BY: COMMITTEE ON HUMAN RESOURCES, dated 2-7-02 - DO
7 PASS, As Amended and Coauthored.