

STATE OF OKLAHOMA

2nd Session of the 48th Legislature (2002)

SENATE BILL 1608

By: Robinson

AS INTRODUCED

An Act relating to public health and safety; amending 63 O.S. 2001, Section 1-323, which relates to vital statistics records; deleting requirements related to requesting a death certificate; requiring conformity with specified federal law; clarifying language; and providing an effective date.

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

SECTION 1. AMENDATORY 63 O.S. 2001, Section 1-323, is amended to read as follows:

Section 1-323. A. To protect the integrity of vital statistics records, to ~~insure~~ ensure their proper use, and to ~~insure~~ ensure the efficient and proper administration of the vital statistics system, it shall be unlawful for any person to permit inspection of, or to disclose information contained in, vital statistics records, or to copy or issue a copy of all or part of any such record except to the person who is the subject of the record or in such person's interest unless ordered to do so by a court of competent jurisdiction; ~~provided, however, that death certificates shall be issued upon request and the payment of applicable fees as provided in Section 1-325 of this Code.~~

B. The State Commissioner of Health may authorize the disclosure of data contained in vital statistics records for research purposes; provided, however, such release shall be in conformity with the Privacy Standards of the federal Health Insurance Portability and Accountability Act of 1996. ~~Beginning July 1, 1975, and at the end of each quarter thereafter, the The~~

State Department of Health shall quarterly transmit to the Department of Public Safety a list of all registered deaths which have occurred during such period of time. Upon receipt of such list the Department of Public Safety shall use such list solely to update Department of Public Safety records and to cancel the operator's license for those deceased individuals presently holding a valid Oklahoma motor vehicle operator's license.

C. ~~Beginning July 1, 1995, and each month thereafter, the~~ The Commissioner shall monthly authorize the transmission to the Oklahoma Health Care Authority of a certified list of all registered deaths of residents of this state that have occurred within the state for the immediately preceding month. The Oklahoma Health Care Authority shall use the transmitted list to ascertain the names of those individuals participating in the state Medicaid program who are deceased, and shall thereafter terminate such deceased person's enrollment in the state Medicaid program.

D. Information in vital statistics records indicating that a birth occurred out of wedlock shall not be disclosed except as provided by rule or upon order of a court of competent jurisdiction.

E. For the purpose of assisting in the location and recovery of missing children, information pertaining to birth certificates and requests for copies of birth certificates shall be provided to the Oklahoma State Bureau of Investigation pursuant to the provisions of Section 1-323.1 of this title and Section 150.12A of Title 74 of the Oklahoma Statutes.

F. The Commissioner shall authorize the transmission of death certificates to the Department of Labor for the purpose of the Department of Labor conducting a census of total occupational injuries and illnesses. The Department shall transmit to the Department of Labor statistics of fatal occupational injuries that shall include the following:

1. Name of the deceased;

2. Date of death;
3. Sex;
4. Race;
5. Age;
6. Birth date;
7. Social security number;
8. Whether an autopsy was conducted;
9. Month of the accident; and
10. Whether decedent was of Hispanic origin.

G. The Department of Labor shall be required to protect the integrity of the vital statistics records to the same extent required of the Department pursuant to this section.

SECTION 2. This act shall become effective July 1, 2002.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

48-2-2733

CJ

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