

THE HOUSE OF REPRESENTATIVES
Wednesday, February, 24, 2010

House Bill No. 3171

HOUSE BILL NO. 3171 - By: HICKMAN AND FAUGHT of the House.

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:

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

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

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

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

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

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

19 (d) In the event that the physician in charge of the patient's care for the illness or
20 condition which resulted in death is not in attendance at the time of death, the medical
21 certification shall be completed and signed within forty-eight (48) hours after death by
22 the physician in attendance at the time of death, except when inquiry as to the cause of

1 death is required by Section 938 of this title. Provided that such certification, if signed
2 by other than the attending physician, shall note on the face the name of the attending
3 physician and that the information shown is only as reported.

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

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

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

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

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

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

4 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET,
5 dated 02-23-10 - DO PASS, As Coauthored.