

**EHB 3171**

1 THE STATE SENATE  
2 Monday, March 29, 2010

3 ENGROSSED

4 House Bill No. 3171

5 As Amended

6 ENGROSSED HOUSE BILL NO. 3171 - By: Hickman, Faught and Pittman of  
7 the House and Anderson of the Senate.

8 [ public health and safety - filing of death certificates -  
9 codification - effective date ]

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

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

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

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

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

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

20           (c) The medical certification shall be completed and signed  
21 within forty-eight (48) hours after death by the physician in charge  
22 of the patient's care for the illness or condition which resulted in

1 death, except when inquiry as to the cause of death is required by  
2 Section 938 of this title.

3 (d) In the event that the physician in charge of the patient's  
4 care for the illness or condition which resulted in death is not in  
5 attendance at the time of death, the medical certification shall be  
6 completed and signed within forty-eight (48) hours after death by  
7 the physician in attendance at the time of death, except when  
8 inquiry as to the cause of death is required by Section 938 of this  
9 title. Provided that such certification, if signed by other than  
10 the attending physician, shall note on the face the name of the  
11 attending physician and that the information shown is only as  
12 reported.

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

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

22 B. Funeral directors and physicians shall be registered with  
23 the State Registrar of Vital Statistics prior to using the

1 prescribed electronic system. The State Registrar of Vital  
2 Statistics shall provide such registration at no cost.

3 C. Registration shall be updated at least annually to maintain  
4 access to the prescribed system and shall include training on any  
5 changes or updates to the prescribed system or associated forms.  
6 Funeral directors licensed in this state shall be trained on the use  
7 of the prescribed electronic system to file personal data on the  
8 prescribed death certificate. Physicians licensed in this state  
9 shall be trained on the use of the prescribed electronic system to  
10 complete, sign, and file the medical certification on the prescribed  
11 death certificate. The State Registrar of Vital Statistics shall  
12 provide the required training at no cost.

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

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

17 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 3-24-10 - DO  
18 PASS, As Amended and Coauthored.