

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 HOUSE BILL 3171

By: Hickman

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5  
6 AS INTRODUCED

7 An Act relating to public health and safety;  
8 amending 63 O.S. 2001, Section 1-317, which relates  
9 to the filing of death certificates; requiring filing  
10 with State Department of Health; providing certain  
11 individuals to sign death certificate; providing that  
12 personal data be entered into prescribed electronic  
13 system by certain date; requiring State Registrar of  
14 Vital Statistics to make available a prescribed  
15 electronic system in which to file death  
16 certificates; requiring registration and training by  
17 certain individuals; providing for codification; and  
18 providing an effective date.

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

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

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

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

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

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

1 provided to the physician or medical examiner for medical  
2 certification within twenty-four (24) hours after the death.

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

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

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

21 A. The State Registrar of Vital Statistics shall make available  
22 to all funeral directors and physicians licensed in this state a  
23 system to electronically capture the required information and file  
24 the prescribed death certificate with the State Department of

1 Health. Access to the prescribed electronic system shall be  
2 provided to registered users at no cost.

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

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

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

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

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