

1 STATE OF OKLAHOMA

2 2nd Session of the 54th Legislature (2014)

3 HOUSE BILL 2420

By: Ritze

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5  
6 AS INTRODUCED

7 An Act relating to public health and safety; amending  
8 63 O.S. 2011, Section 1-317, which relates to death  
9 certificates; providing that physicians not be  
subject to certain liability for certain act; and  
providing an effective date.

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

13 SECTION 1. AMENDATORY 63 O.S. 2011, Section 1-317, is  
14 amended to read as follows:

15 Section: 1-317. (a) A death certificate for each death which  
16 occurs in this state shall be filed with the State Department of  
17 Health, within three (3) days after such death.

18 (b) The funeral director shall personally sign the death  
19 certificate and shall be responsible for filing the death  
20 certificate. If the funeral director is not available, the person  
21 acting as such who first assumes custody of a dead body in  
22 accordance with Section 1158 of Title 21 of the Oklahoma Statutes  
23 shall personally sign and file the death certificate. The personal  
24 data shall be obtained from the next of kin or the best qualified

1 person or source available. The certificate shall be completed as  
2 to personal data and delivered to the attending physician or the  
3 medical examiner responsible for completing the medical  
4 certification portion of the certificate of death within twenty-four  
5 (24) hours after the death. No later than July 1, 2012, the  
6 personal data shall be entered into the prescribed electronic system  
7 provided by the State Registrar of Vital Statistics and the  
8 information submitted to the State Registrar of Vital Statistics.  
9 The resultant certificate produced by the electronic system shall be  
10 provided to the physician or medical examiner for medical  
11 certification within twenty-four (24) hours after the death.

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

17 (d) In the event that the physician in charge of the patient's  
18 care for the illness or condition which resulted in death is not in  
19 attendance at the time of death, the medical certification shall be  
20 completed and signed within forty-eight (48) hours after death by  
21 the physician in attendance at the time of death, except when  
22 inquiry as to the cause of death is required by Section 938 of this  
23 title. Provided that such certification, if signed by other than  
24 the attending physician, shall note on the face the name of the

1 attending physician and that the information shown is only as  
2 reported.

3 (e) A physician who provides in good faith the medical  
4 certification required by this section shall not be subject to civil  
5 liability.

6 SECTION 2. This act shall become effective November 1, 2014.

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8 54-2-8409 AM 12/30/13

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