

1 ENGROSSED HOUSE
2 BILL NO. 2586

By: Perryman of the House

3 and

4 Jech of the Senate

5
6
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 hospice medical director
10 may sign medical certification under certain
11 circumstances; amending 63 O.S. 2011, Section 1-317a,
12 which relates to electronic capture of death
13 certificates; requiring physicians to electronically
14 file death certificates by certain date; requiring
15 certain agencies to work together regarding permit
16 applications; requiring certain agency to establish
17 electronic accounts for funeral homes; providing for
18 noncodification; and providing an effective date.

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

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

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

~~(b)~~ B. The funeral director shall personally sign the death
certificate and shall be responsible for filing the death
certificate. If the funeral director is not available, the person

1 acting as such who first assumes custody of a dead body in
2 accordance with Section 1158 of Title 21 of the Oklahoma Statutes
3 shall personally sign and file the death certificate. The personal
4 data shall be obtained from the next of kin or the best qualified
5 person or source available. The certificate shall be completed as
6 to personal data and delivered to the attending physician or the
7 medical examiner responsible for completing the medical
8 certification portion of the certificate of death within twenty-four
9 (24) hours after the death. No later than July 1, 2012, the
10 personal data, and no later than July 1, 2017, the medical
11 certificate portion, shall be entered into the prescribed electronic
12 system provided by the State Registrar of Vital Statistics and the
13 information submitted to the State Registrar of Vital Statistics.
14 The resultant certificate produced by the electronic system shall be
15 provided to the physician or medical examiner for medical
16 certification within twenty-four (24) hours after the death.

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

22 ~~(d)~~ D. In the event that the physician in charge of the
23 patient's care for the illness or condition which resulted in death
24 is not in attendance at the time of death, the medical certification

1 shall be completed and signed within forty-eight (48) hours after
2 death by the physician in attendance at the time of death, except
3 when:

4 1. When the patient is under hospice care at the time of death,
5 the medical certification may be signed by the hospice's medical
6 director; and

7 2. When inquiry as to the cause of death is required by Section
8 938 of this title.

9 Provided, that such certification, if signed by other than the
10 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. AMENDATORY 63 O.S. 2011, Section 1-317a, is
14 amended to read as follows:

15 Section 1-317a. A. The State Registrar of Vital Statistics
16 shall make available to all funeral directors and physicians
17 licensed in this state a system to electronically capture the
18 required information and file the prescribed death certificate with
19 the State Department of Health. Access to the prescribed electronic
20 system shall be provided to registered users at no cost.

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

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

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

14 E. No later than July 1, 2017, physicians licensed in this
15 state shall be required to sign and file death certificates using
16 the prescribed electronic system.

17 SECTION 3. NEW LAW A new section of law not to be
18 codified in the Oklahoma Statutes reads as follows:

19 A. The State Department of Health and the Office of the Chief
20 Medical Examiner shall work together to ensure that the permit
21 applications for cremations and out-of-state dispositions function
22 together.

23 B. The State Department of Health shall establish electronic
24 accounts for each funeral home in the state.

