

1 STATE OF OKLAHOMA

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

3 COMMITTEE SUBSTITUTE
4 FOR ENGROSSED
5 SENATE BILL NO. 1448

By: Holt of the Senate

and

6 Hall of the House

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9 COMMITTEE SUBSTITUTE

10 An Act relating to vital statistics; amending 63 O.S.
11 2011, Section 1-323, which relates to confidentiality
12 of records; designating certain records as public
information for certain time periods; and providing
an effective date.

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

16 SECTION 1. AMENDATORY 63 O.S. 2011, Section 1-323, is
17 amended to read as follows:

18 Section 1-323. A. To protect the integrity of vital statistics
19 records, to insure their proper use, and to insure the efficient and
20 proper administration of the vital statistics system, it shall be
21 unlawful for any person to permit inspection of, or to disclose
22 information contained in, vital statistics records, or to copy or
23 issue a copy of all or part of any such record except to the person
24 who is the subject of the record or in such person's interest unless

1 ordered to do so by a court of competent jurisdiction; provided that
2 death certificates and reports of the medical examiner shall be
3 considered publicly available records seventy-five (75) years after
4 the death and birth certificates shall be considered publicly
5 available records one hundred twenty-five (125) years after the
6 birth. Certified copies of birth certificates and death
7 certificates shall be provided without cost and without a court
8 order to the Attorney General or to any district attorney upon
9 request in the course of a criminal investigation.

10 B. The State Commissioner of Health may authorize the
11 disclosure of data contained in vital statistics records for public
12 health surveillance or research purposes.

13 C. The State Department of Health shall transmit to the
14 Department of Public Safety:

15 1. At the end of each quarter year, a list of all registered
16 deaths which have occurred during such period of time. Upon receipt
17 of such list the Department of Public Safety shall use such list
18 solely to update Department of Public Safety records and to cancel
19 the driver license for those deceased individuals with a valid
20 Oklahoma driver license at the time of death;

21 2. At the end of each month, a report of all registered deaths
22 that resulted from a motor vehicle collision which have occurred
23 during such period of time. The report shall be used by the
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1 Department solely for the purpose of statistical analysis and
2 reporting; and

3 3. Upon written request from the Department, a death
4 certificate. The certificate shall be used solely by the Fatality
5 Analysis Reporting System (FARS) Analyst of the Oklahoma Highway
6 Safety Office to populate the federal FARS database.

7 D. Each month, the Commissioner shall authorize the
8 transmission to the Oklahoma Health Care Authority of a certified
9 list of all registered deaths of residents of this state that have
10 occurred within the state for the immediately preceding month. The
11 Oklahoma Health Care Authority shall use the transmitted list to
12 ascertain the names of those individuals participating in the state
13 Medicaid program who are deceased, and shall thereafter terminate
14 such deceased person's enrollment in the state Medicaid program.

15 E. For the purpose of assisting in the location and recovery of
16 missing children, information pertaining to birth certificates and
17 requests for copies of birth certificates shall be provided to the
18 Oklahoma State Bureau of Investigation pursuant to the provisions of
19 Section 1-323.1 of this title and Section 150.12A of Title 74 of the
20 Oklahoma Statutes.

21 F. The Commissioner shall authorize the transmission of death
22 certificates to the Department of Labor for the purpose of the
23 Department of Labor conducting a census of total occupational
24 injuries and illnesses. The Department shall transmit to the

1 Department of Labor statistics of fatal occupational injuries that
2 shall include the following:

- 3 1. Name of the deceased;
- 4 2. Date of death;
- 5 3. Sex;
- 6 4. Race;
- 7 5. Age;
- 8 6. Birth date;
- 9 7. Social security number;
- 10 8. Whether an autopsy was conducted;
- 11 9. Month of the accident; and
- 12 10. Whether decedent was of Hispanic origin.

13 H. The Department of Labor shall be required to protect the
14 integrity of the vital statistics records to the same extent
15 required of the Department pursuant to this section.

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

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