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February 18, 2014

AS AMENDED

SENATE BILL NO. 1448

By: Holt of the Senate

and

Hall of the House

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

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

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

Section 1-323. A. To protect the integrity of vital statistics records, to insure their proper use, and to insure the efficient and proper administration of the vital statistics system, it shall be unlawful for any person to permit inspection of, or to disclose information contained in, vital statistics records, or to copy or issue a copy of all or part of any such record except to the person who is the subject of the record or in such person's interest unless ordered to do so by a court of competent jurisdiction; provided that death certificates shall be considered publicly available records

1 **seventy-five (75)** years after the death and birth certificates shall
2 be considered publicly available records **one hundred twenty-five**
3 **(125)** years after the birth. Certified copies of birth certificates
4 and death certificates shall be provided without cost and without a
5 court order to the Attorney General or to any district attorney upon
6 request in the course of a criminal investigation.

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

10 C. The State Department of Health shall transmit to the
11 Department of Public Safety:

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

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

23 3. Upon written request from the Department, a death
24 certificate. The certificate shall be used solely by the Fatality

1 Analysis Reporting System (FARS) Analyst of the Oklahoma Highway
2 Safety Office to populate the federal FARS database.

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

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

17 F. The Commissioner shall authorize the transmission of death
18 certificates to the Department of Labor for the purpose of the
19 Department of Labor conducting a census of total occupational
20 injuries and illnesses. The Department shall transmit to the
21 Department of Labor statistics of fatal occupational injuries that
22 shall include the following:

- 23 1. Name of the deceased;
24 2. Date of death;

3. Sex;
4. Race;
5. Age;
6. Birth date;
7. Social security number;
8. Whether an autopsy was conducted;
9. Month of the accident; and
10. Whether decedent was of Hispanic origin.

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

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

COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY
February 18, 2014 - DO PASS AS AMENDED