

1 STATE OF OKLAHOMA

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

3 SENATE BILL 1448

By: Holt

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5  
6 AS INTRODUCED

7 An Act relating to vital statistics; amending 63 O.S.  
8 2011, Section 1-323, which relates to confidentiality  
9 of records; designating certain records as public  
information for certain time periods; 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 1-323, is  
14 amended to read as follows:

15 Section 1-323. A. To protect the integrity of vital statistics  
16 records, to insure their proper use, and to insure the efficient and  
17 proper administration of the vital statistics system, it shall be  
18 unlawful for any person to permit inspection of, or to disclose  
19 information contained in, vital statistics records, or to copy or  
20 issue a copy of all or part of any such record except to the person  
21 who is the subject of the record or in such person's interest unless  
22 ordered to do so by a court of competent jurisdiction; provided that  
23 death certificates shall be considered publicly available records  
24 twenty-five (25) years after the death and birth certificates shall

1 be considered publicly available records one hundred (100) years  
2 after the birth. Certified copies of birth certificates and death  
3 certificates shall be provided without cost and without a court  
4 order to the Attorney General or to any district attorney upon  
5 request in the course of a criminal investigation.

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

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

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

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

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

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

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

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

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