

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 57th Legislature (2020)

4 HOUSE BILL 3544

 By: Townley

7 AS INTRODUCED

8 An Act relating to public health; amending 63 O.S.
9 2011, Section 1-317, as last amended by Section 2,
10 Chapter 305, O.S.L. 2019 (63 O.S. Supp. 2019, Section
11 1-317), which relates to death certificates;
 authorizing an advanced practice registered nurse to
 sign a death certificate; and providing an effective
 date.

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

15 SECTION 1. AMENDATORY 63 O.S. 2011, Section 1-317, as
16 last amended by Section 2, Chapter 305, O.S.L. 2019 (63 O.S. Supp.
17 2019, Section 1-317), is amended to read as follows:

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

21 B. The funeral director shall personally sign the death
22 certificate and shall be responsible for filing the death
23 certificate. If the funeral director is not available, the person
24 acting as such who first assumes custody of a dead body in

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

16 C. The medical certification shall be completed and signed
17 within forty-eight (48) hours after death by the physician or
18 advanced practice registered nurse in charge of the patient's care
19 for the illness or condition which resulted in death, except when
20 inquiry as to the cause of death is required by Section 938 of this
21 title. No later than July 1, 2017, the medical certification
22 portion of certificate data shall be entered into the prescribed
23 electronic system provided by the State Registrar of Vital

1 Statistics and the information submitted to the State Registrar of
2 Vital Statistics.

3 D. In the event that the physician or advanced practice
4 registered nurse in charge of the patient's care for the illness or
5 condition which resulted in death is not in attendance at the time
6 of death, the medical certification shall be completed and signed
7 within forty-eight (48) hours after death by the physician or
8 advanced practice registered nurse in attendance at the time of
9 death, except:

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

13 2. When inquiry as to the cause of death is required by Section
14 938 of this title.

15 Provided, that such certification, if signed by other than the
16 attending physician or advanced practice registered nurse, shall
17 note on the face the name of the attending physician or advanced
18 practice registered nurse and that the information shown is only as
19 reported.

20 E. A certifier completing cause of death on a certificate of
21 death who knows that a lethal drug, overdose or other means of
22 assisting suicide within the meaning of Sections 3141.2 through
23 3141.4 of this title caused or contributed to the death shall list
24 that means among the chain of events under cause of death or list it

1 in the box that describes how the injury occurred. If such means is
2 in the chain of events under or in the box that describes how the
3 injury occurred, the certifier shall indicate "suicide" as the
4 manner of death.

5 SECTION 2. This act shall become effective November 1, 2020.

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7 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC HEALTH, dated 02/19/2020 -
8 DO PASS.
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