

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 58th Legislature (2021)

4 HOUSE BILL 2009

By: Townley of the House

5 and

6 **Coleman** of the Senate

7
8
9 AS INTRODUCED

10 An Act relating to public health; amending 63 O.S.
11 2011, Section 1-317, as last amended by Section 2,
12 Chapter 305, O.S.L. 2019 (63 O.S. Supp. 2020, Section
13 1-317), which relates to death certificates;
14 authorizing an advanced practice registered nurse to
15 sign a death certificate; and providing an effective
16 date.

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

17 SECTION 1. AMENDATORY 63 O.S. 2011, Section 1-317, as
18 last amended by Section 2, Chapter 305, O.S.L. 2019 (63 O.S. Supp.
19 2020, Section 1-317), is amended to read as follows:

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

23 B. The funeral director shall personally sign the death
24 certificate and shall be responsible for filing the death

1 certificate. If the funeral director is not available, the person
2 acting as such who first assumes custody of a dead body in
3 accordance with Section 1158 of Title 21 of the Oklahoma Statutes
4 shall personally sign and file the death certificate. The personal
5 data shall be obtained from the next of kin or the best qualified
6 person or source available. The certificate shall be completed as
7 to personal data and delivered to the attending physician or the
8 medical examiner responsible for completing the medical
9 certification portion of the certificate of death within twenty-four
10 (24) hours after the death. No later than July 1, 2012, the
11 personal data, and no later than July 1, 2017, the medical
12 certificate portion, shall be entered into the prescribed electronic
13 system provided by the State Registrar of Vital Statistics and the
14 information submitted to the State Registrar of Vital Statistics.
15 The resultant certificate produced by the electronic system shall be
16 provided to the physician or medical examiner for medical
17 certification within twenty-four (24) hours after the death.

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

1 electronic system provided by the State Registrar of Vital
2 Statistics and the information submitted to the State Registrar of
3 Vital Statistics.

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

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

14 2. When inquiry as to the cause of death is required by Section
15 938 of this title.

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

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

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

6 SECTION 2. This act shall become effective November 1, 2021.
7

8 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC HEALTH, dated 02/24/2021 -
9 DO PASS, As Coauthored.
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24