

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                               STATE OF OKLAHOMA

3                               2nd Session of the 58th Legislature (2022)

4 COMMITTEE SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 4121

By: Frix

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8                               COMMITTEE SUBSTITUTE

9           An Act relating to public health and safety; amending  
10       63 O.S. 2021, Section 1-317, which relates to death  
11       certificates; authorizing county sheriff to sign  
12       medical certification; and providing an effective  
13       date.

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

15       SECTION 1.       AMENDATORY       63 O.S. 2021, Section 1-317, is  
16       amended to read as follows:

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

20       B. The funeral director shall personally sign the death  
21       certificate and shall be responsible for filing the death  
22       certificate. If the funeral director is not available, the person  
23       acting as such who first assumes custody of a dead body in  
24       accordance with Section 1158 of Title 21 of the Oklahoma Statutes

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

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

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

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

11 2. When inquiry as to the cause of death is required by Section  
12 938 of this title.

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

18 E. In the event that the provisions of subsection D of this  
19 section can not be completed within forty-eight (48) hours, the  
20 county sheriff may complete and sign the medical certification.

21 F. 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, 2022.  
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8 COMMITTEE REPORT BY: COMMITTEE ON GOVERNMENT MODERNIZATION AND  
9 EFFICIENCY, dated 03/03/2022 - DO PASS, As Amended.  
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