

STATE OF OKLAHOMA

1st Session of the 58th Legislature (2021)

HOUSE BILL 2009

By: Townley

AS INTRODUCED

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

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

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

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

B. The funeral director shall personally sign the death certificate and shall be responsible for filing the death certificate. If the funeral director is not available, the person acting as such who first assumes custody of a dead body in 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. A certifier completing cause of death on a certificate of
19 death who knows that a lethal drug, overdose or other means of
20 assisting suicide within the meaning of Sections 3141.2 through
21 3141.4 of this title caused or contributed to the death shall list
22 that means among the chain of events under cause of death or list it
23 in the box that describes how the injury occurred. If such means is
24 in the chain of events under cause of death or in the box that

1 describes how the injury occurred, the certifier shall indicate
2 "suicide" as the manner of death.

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

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