

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 3540

By: Caldwell (Chad)

6 AS INTRODUCED

7 An Act relating to physician assistants; amending 63
8 O.S. 2021, Section 1-317, which relates to death
9 certificates; permitting physician assistants to sign
the medical certification of a death certificate; and
providing an effective date.

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

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

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

18 B. The funeral director shall personally sign the death
19 certificate and shall be responsible for filing the death
20 certificate. If the funeral director is not available, the person
21 acting as such who first assumes custody of a dead body in
22 accordance with Section 1158 of Title 21 of the Oklahoma Statutes
23 shall personally sign and file the death certificate. The personal
24 data shall be obtained from the next of kin or the best qualified

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

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

23 D. In the event that the physician or advanced practice
24 registered nurse or physician assistant in charge of the patient's

1 care for the illness or condition which resulted in death is not in
2 attendance at the time of death, the medical certification shall be
3 completed and signed within forty-eight (48) hours after death by
4 the physician or advanced practice registered nurse or physician
5 assistant in attendance at the time of death, except:

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

9 2. When inquiry as to the cause of death is required by Section
10 938 of this title.

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

16 E. A certifier completing cause of death on a certificate of
17 death who knows that a lethal drug, overdose or other means of
18 assisting suicide within the meaning of Sections 3141.2 through
19 3141.4 of this title caused or contributed to the death shall list
20 that means among the chain of events under cause of death or list it
21 in the box that describes how the injury occurred. If such means is
22 in the chain of events under cause of death or in the box that
23 describes how the injury occurred, the certifier shall indicate
24 "suicide" as the manner of death.

SECTION 2. This act shall become effective November 1, 2022.

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