

House Bill 135

By: Representatives Williams of the 145<sup>th</sup>, Mathis of the 144<sup>th</sup>, McDonald of the 26<sup>th</sup>, Powell of the 32<sup>nd</sup>, and Collins of the 68<sup>th</sup>

A BILL TO BE ENTITLED

AN ACT

1 To amend Code Section 31-10-15 of the Official Code of Georgia Annotated, relating to  
2 death certificates, so as to require the physician in charge of the patient's care for the illness  
3 or condition which resulted in death to complete, sign, and return the medical certification  
4 as to the cause and circumstances of death to the funeral director or person acting as such  
5 prior to or simultaneously with the funeral director or other person assuming custody of the  
6 dead body; to provide for related matters; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Code Section 31-10-15 of the Official Code of Georgia Annotated, relating to death  
10 certificates, is amended by revising subsection (b) and paragraph (1) of subsection (c) as  
11 follows:

12 "(b) The funeral director or person acting as such who first assumes custody of the dead  
13 body shall file the certificate of death within 72 hours. Such director or person shall obtain  
14 the personal data from the next of kin or the best qualified person or source available and  
15 shall obtain the medical certification from the person responsible therefor simultaneously

16 with receiving custody of the dead body, except when inquiry is required by Article 2 of  
17 Chapter 16 of Title 45, the 'Georgia Death Investigation Act.'-

18 (c)(1) The physician in charge of the patient's care for the illness or condition which  
19 resulted in death shall complete, sign, and return the medical certification as to the cause  
20 and circumstances of death ~~shall be completed, signed, and returned to the funeral~~  
21 ~~director or person acting as such within 72 hours after death by the physician in charge~~  
22 ~~of the patient's care for the illness or condition which resulted in death, except to the~~  
23 funeral director or person acting as such prior to or simultaneously with such funeral  
24 director or other person assuming custody of the dead body in accordance with subsection  
25 (b) of this Code section; provided, however, that this shall not apply when inquiry is  
26 required by Article 2 of Chapter 16 of Title 45, the 'Georgia Death Investigation Act.' In  
27 the absence of said physician or with that physician's approval, the certificate may be  
28 completed and signed by an associate physician, the chief medical officer of the  
29 institution in which death occurred, or the physician who performed an autopsy upon the  
30 decedent, provided that such individual has access to the medical history of the case,  
31 views the deceased at or after death, and death is due to natural causes. ~~If, 30 days after~~  
32 ~~a death,~~ the physician in charge of the patient's care for the illness or condition which  
33 resulted in death has failed to complete, sign, and return the medical certification as to  
34 the cause and circumstances of death to the funeral director or person acting as such, the  
35 funeral director or person acting as such shall be authorized to report such physician to  
36 the Georgia Composite Medical Board for discipline pursuant to Code Section 43-34-8."

37 **SECTION 2.**

38 All laws and parts of laws in conflict with this Act are repealed.