

HOUSE BILL No. 1088

DIGEST OF INTRODUCED BILL

Citations Affected: IC 16-37-3.

Synopsis: Death certificates. Provides that if the cause of death is unknown to the physician last in attendance: (1) the physician shall initiate the preparation of the certificate of death and note on the certificate that the cause of death is unknown and shall refer the case to the coroner; and (2) the coroner shall ensure that the certificate of death is completed. Provides that: (1) certain individuals shall refer cases of death that are caused by other than natural causes or causes that are unknown to the coroner for investigation; and (2) it is a Class C infraction to violate the law that requires referral of such a case to the coroner and that requires the coroner to make a timely report of the death to the health officer having jurisdiction.

Effective: July 1, 2016.

Bacon

January 5, 2016, read first time and referred to Committee on Public Health.



Second Regular Session of the 119th General Assembly (2016)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2015 Regular Session of the General Assembly.

HOUSE BILL No. 1088

A BILL FOR AN ACT to amend the Indiana Code concerning health.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 16-37-3-4, AS AMENDED BY P.L.156-2011,
- 2 SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 3 JULY 1, 2016]: Sec. 4. **(a) Subject to subsection (b)**, the physician
- 4 last in attendance upon the deceased or the person in charge of
- 5 interment shall secure the personal data required by the state
- 6 department by rules adopted under IC 4-22-2 for preparation of the
- 7 certificate of death or of stillbirth from the persons best qualified to
- 8 give the information.
- 9 **(b) If the cause of death is unknown to the physician last in**
- 10 **attendance upon the deceased:**
- 11 **(1) the physician shall:**
- 12 **(A) initiate the preparation of the certificate of death and**
- 13 **note on the certificate of death that the cause of death is**
- 14 **unknown; and**
- 15 **(B) refer the case to the coroner under section 7 of this**
- 16 **chapter; and**
- 17 **(2) the coroner shall ensure that the certificate of death is**



1 **completed.**
2 SECTION 2. IC 16-37-3-7 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 7. (a) If the
4 circumstances suggest that the death was caused by other than natural
5 causes **or the cause of death is unknown to the physician last in**
6 **attendance**, the following individual shall refer the case to the coroner
7 for investigation:
8 (1) The attending physician.
9 **(2) The physician last in attendance.**
10 ~~(2)~~ **(3) If:**
11 **(A)** there is no attending physician **or physician last in**
12 **attendance; or**
13 **(B)** the attending physician **or physician last in attendance**
14 has failed to refer the case to the coroner;
15 the local health officer.
16 (b) The coroner shall report a death coming under the coroner's
17 supervision upon official death certificate blanks to the health officer
18 having jurisdiction not more than three (3) days after the inquest is
19 held. Another person may not report the death.
20 **(c) An individual who violates this section commits a Class C**
21 **infraction.**

