



Reprinted
January 15, 2016

HOUSE BILL No. 1088

DIGEST OF HB 1088 (Updated January 14, 2016 12:18 pm - DI 77)

Citations Affected: IC 16-37.

Synopsis: Death certificates. Provides that if a person dies or is declared dead in the emergency department and the emergency department physician is the physician last in attendance and is uncertain as to the cause and manner of death: (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 certain physicians or the local health officer shall refer cases of death that are caused by other than natural causes or causes that are unknown to the coroner for investigation.

Effective: July 1, 2016.

Bacon, Porter, Davisson, Rhoads

January 5, 2016, read first time and referred to Committee on Public Health.
January 12, 2016, amended, reported — Do Pass.
January 14, 2016, read second time, amended, ordered engrossed.

HB 1088—LS 6726/DI 77



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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 a person dies or is declared dead in the emergency**
10 **department and the emergency department physician is the**
11 **physician last in attendance and is uncertain as to the cause and**
12 **manner of death:**
- 13 **(1) the physician shall:**
- 14 **(A) initiate the preparation of the certificate of death and**
15 **note on the certificate of death that the cause of death is**
16 **unknown; and**
17 **(B) refer the case to the coroner under section 7 of this**

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chapter; and
(2) the coroner shall ensure that the certificate of death is completed.

SECTION 2. IC 16-37-3-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 7. (a) If the circumstances suggest that the death was caused by other than natural causes **or the cause of death is unknown to the physician last in attendance**, the following individual shall refer the case to the coroner for investigation:

- (1) The attending physician.
- (2) The physician last in attendance.**
- ~~(3)~~ **(3) If:**
 - (A) there is no attending physician or physician last in attendance; or**
 - (B) the attending physician or physician last in attendance has failed to refer the case to the coroner; the local health officer.**

(b) The coroner shall report a death coming under the coroner's supervision upon official death certificate blanks to the health officer having jurisdiction not more than three (3) days after the inquest is held. Another person may not report the death.



COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1088, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 10, after "the" insert "**deceased and the physician is not the attending physician of the**".

Page 2, delete lines 20 through 21.

and when so amended that said bill do pass.

(Reference is to HB 1088 as introduced.)

KIRCHHOFER

Committee Vote: yeas 11, nays 0.

HOUSE MOTION

Mr. Speaker: I move that House Bill 1088 be amended to read as follows:

Page 1, delete lines 9 through 11, begin a new paragraph and insert:

"(b) If a person dies or is declared dead in the emergency department and the emergency department physician is the physician last in attendance and is uncertain as to the cause and manner of death:".

(Reference is to HB 1088 as printed January 12, 2016.)

BACON

