



February 19, 2016

ENGROSSED HOUSE BILL No. 1088

DIGEST OF HB 1088 (Updated February 17, 2016 3:02 pm - DI 104)

Citations Affected: IC 16-37.

Synopsis: Death certificates. Provides that in circumstances where 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, the case may be referred to a coroner for investigation. Specifies the person who is responsible for referring the cases that are caused by other than natural causes and the emergency department cases that are uncertain as to the cause and manner of death to the coroner.

Effective: July 1, 2016.

Bacon, Porter, Davisson, Rhoads

(SENATE SPONSORS — BECKER, MILLER PATRICIA, MRVAN)

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.
January 15, 2016, engrossed.
January 25, 2016, returned to second reading.
January 26, 2016, re-read second time, amended, ordered engrossed.
January 27, 2016, re-engrossed.
January 28, 2016, read third time, passed. Yeas 94, nays 0.

SENATE ACTION

February 3, 2016, read first time and referred to Committee on Health & Provider Services.
February 18, 2016, reported favorably — Do Pass.

EH 1088—LS 6726/DI 77



February 19, 2016

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.

ENGROSSED 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 16-37-3-7 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 7. (a) If the
3 circumstances suggest that the death was caused by other than natural
4 causes **or a person dies or is declared dead in an emergency**
5 **department and the emergency physician, who is the physician last**
6 **in attendance, is uncertain as to the cause and manner of death**, the
7 following individual shall refer the case to the coroner for
8 investigation:
9 (1) The **emergency department physician, upon consultation**
10 **with the attending physician, if available.**
11 (2) If there is no **emergency department physician, the**
12 **attending physician.** ~~or~~
13 (3) **If** the attending physician has failed to refer the case to the
14 coroner, the local health officer.
15 (b) The coroner shall report a death coming under the coroner's
16 supervision upon official death certificate blanks to the health officer
17 having jurisdiction not more than three (3) days after the inquest is

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1 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

HOUSE MOTION

Mr. Speaker: I move that House Bill 1088 be returned to the second reading calendar forthwith for the purpose of amendment.

BACON



HOUSE MOTION

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

Page 1, delete lines 1 through 17.

Page 2, delete lines 1 through 3.

Page 2, line 7, delete "the cause of death is unknown to" and insert **"a person dies or is declared dead in an emergency department and the emergency physician, who is"**.

Page 2, line 8, after "attendance," and insert **"is uncertain as to the cause and manner of death,"**.

Page 2, line 10, after "The" insert **"emergency department physician, upon consultation with the"**.

Page 2, line 10, delete "." and insert **", if available."**

Page 2, delete line 11.

Page 2, line 12, reset in roman "(2)".

Page 2, line 12, delete "(3)".

Page 2, line 12, delete ":".

Page 2, line 13, delete "(A)".

Page 2, line 13, after "no" insert **"emergency department physician, the"**.

Page 2, line 13, delete "or physician last in" and insert ".".

Page 2, run in lines 12 through 13.

Page 2, line 14, delete **"attendance;"**.

Page 2, line 14, strike "or".

Page 2, line 15, delete "(B)", begin a new line block indented, and insert:

"(3) If".

Page 2, line 15, delete "or physician last in attendance".

Page 2, line 16, delete ";" and insert ",".

Page 2, run in lines 16 through 17.

Renumber all SECTIONS consecutively.

(Reference is to HB 1088 as reprinted January 15, 2016.)

BACON



COMMITTEE REPORT

Madam President: The Senate Committee on Health & Provider Services, to which was referred House Bill No. 1088, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is to HB1088 as reprinted January 27, 2016.)

MILLER PATRICIA, Chairperson

Committee Vote: Yeas 7, Nays 0

