

Regular Session, 2013

HOUSE BILL NO. 340

BY REPRESENTATIVE BURFORD

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

VITAL STATISTICS: Requires such actions as are necessary for timely preparation, filing, and issuance of vital records

1 AN ACT

2 To amend and reenact R.S. 40:37, 39.1(D), 49(A), and 50(A) and to enact R.S. 40:33(H),
3 36(H), 41(C)(6), and 50(D), relative to vital records; to provide for legislative intent;
4 to provide for duties of the state registrar of vital records; to provide relative to local
5 registrars of vital records; to establish requirements for issuance of certain copies of
6 vital records; to provide relative to policies of the vital records registry; to provide
7 for preparation of death certificates; to provide for duties of funeral directors and of
8 local registrars relative to filing of death certificates; to authorize promulgation of
9 rules; and to provide for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 40:37, 39.1(D), 49(A), and 50(A) are hereby amended and reenacted
12 and R.S. 40:33(H), 36(H), 41(C)(6), and 50(D) are hereby enacted to read as follows:

13 §33. Vital records registry; establishment; general authority and duties of state
14 registrar

15 * * *

16 H. The legislature intends for services of the vital records registry to be
17 delivered in a timely and efficient manner. Therefore the state registrar shall take all
18 of the following actions for the purpose of providing the highest possible quality of
19 service to the public:

1 (1) Ensure that the process for issuance of certified copies of vital records
2 which are properly requested in accordance with the provisions of this Chapter is
3 conducted in a timely and efficient manner.

4 (2) Promulgate any rules and implement all such policies as are necessary
5 to establish quality customer service as a priority of the registry in carrying out its
6 duties to the public.

7 (3) Ensure that the local registrar designated for each parish pursuant to R.S.
8 40:37 keeps such operating hours as are necessary to facilitate timely filing of death
9 certificates and a high quality of service to the public overall.

10 * * *

11 §36. State registrar as custodian

12 * * *

13 H. The state registrar is hereby authorized to take any administrative actions
14 as he may deem necessary to improve the efficiency of the process for issuing
15 certified copies of vital records in order to improve the customer service functions
16 of his office. The registrar shall ensure that such actions are conducted in a manner
17 which preserves the integrity of vital records.

18 §37. Local registrars; duties

19 A. The state registrar shall perform all of the following functions relative to
20 local registrars:

21 ~~designate~~ (1) Designate an employee of the office of public health to serve
22 as the local registrar in each parish health unit.

23 (2) Ensure that the local registrar for each parish is available during all such
24 hours as are necessary to facilitate all of the following:

25 (a) Timely filing of death certificates by funeral directors or persons acting
26 as such as required in this Chapter.

27 (b) Timely issuance of death certificates to persons entitled to such records
28 pursuant to the provisions of this Chapter.

29 (3) ~~The state registrar shall serve~~ Serve as local registrar in Orleans Parish.

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 B. All local registrars shall be responsible for completion of incomplete birth
2 certificates not properly returned to the preparer and shall enforce the provisions of
3 this Chapter and regulations adopted thereunder.

4 * * *

5 §39.1. Certified copies of birth certificates and death certificates; clerks of district
6 courts; Vital Records Conversion Fund

7 * * *

8 D. The state registrar ~~shall~~ is hereby authorized to promulgate the all such
9 rules as are necessary for the implementation of to implement the provisions of this
10 Section ~~on or before January 1, 2000.~~ Through promulgation of rules and
11 establishment of policies for the operation of the vital records registry, the registrar
12 shall ensure that issuance of certified copies of vital records which are properly
13 requested in accordance with the provisions of this Chapter is conducted in the most
14 timely and efficient manner practicable.

15 * * *

16 §41. Disclosure of records

17 * * *

18 C.

19 * * *

20 (6) The state registrar shall promulgate any rules and implement any policies
21 as may be necessary to ensure that issuance of certified copies of vital records which
22 are properly requested in accordance with the provisions of this Chapter is conducted
23 in the most timely and efficient manner practicable.

24 * * *

1 §49. Preparation and filing of death and spontaneous fetal death certificate
2 (stillbirth)

3 A. The funeral director or person acting as such shall, in the most timely
4 manner possible in each circumstance, prepare and file the certificate of death or
5 spontaneous fetal death or stillbirth provided for in R.S. 40:47.

6 * * *

7 §50. Issuance of death certificates; duties of state and local registrar registrars

8 A.(1) Notwithstanding any other provision of law to the contrary, the funeral
9 director or other person required by law to initiate a death certificate shall initiate
10 such certificate in original only, and shall file the original with a local registrar.

11 (2) Upon completion of a death certificate, the funeral director or person
12 acting as such shall file the original with a local registrar as soon as is practicable,
13 but in no case more than forty-eight hours after completion of the certificate.

14 (3) The local registrar of each parish shall retain this original in his office for
15 a period of ten days from the date the certificate is filed.

16 * * *

17 D. The state registrar shall take all such actions as are necessary and
18 authorized in this Part to ensure that issuance of certified copies of death certificates
19 which are properly requested in accordance with the provisions of this Chapter is
20 conducted in the most timely and efficient manner practicable.

21 Section 2. This Act shall become effective upon signature by the governor or, if not
22 signed by the governor, upon expiration of the time for bills to become law without signature
23 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
24 vetoed by the governor and subsequently approved by the legislature, this Act shall become
25 effective on the day following such approval.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Burford

HB No. 340

Abstract: Requires such actions as are necessary for timely and efficient preparation, filing, and issuance of vital records; and establishes quality customer service as a priority of the vital records registry in carrying out its duties to the public.

Present law establishes a central vital records registry within the DHH office of preventive and public health services and a registrar of vital records for the state. Further provides for general authority and duties of the state registrar.

Proposed law provides that it is the intent of the legislature for services of the vital records registry to be delivered in a timely and efficient manner, and requires the state registrar to take the following actions for the purpose of providing the highest possible quality of service to the public:

- (1) Ensure that the process for issuance of certified copies of vital records which are properly requested in accordance with the provisions of present law is conducted in a timely and efficient manner.
- (2) Promulgate any rules and implement all such policies as are necessary to establish quality customer service as a priority of the registry in carrying out its duties to the public.
- (3) Ensure that the local registrar designated for each parish pursuant to present law keeps such operating hours as are necessary to facilitate timely filing of death certificates and a high quality of service to the public overall.

Proposed law authorizes the state registrar of vital records to take any administrative actions necessary to improve the efficiency of the process for issuing certified copies of vital records in order to improve the customer service functions of his office. Requires the registrar to ensure that such actions are conducted in a manner which preserves the integrity of vital records.

Proposed law requires the state registrar to promulgate any rules and implement any policies as are necessary to ensure that issuance of certified copies of vital records which are properly requested in accordance with the provisions of present law is conducted in the most timely and efficient manner practicable.

Present law provides for duties of the state registrar relative to local registrars of vital records. Proposed law retains present law and adds to such duties by requiring the state registrar to ensure that the local registrar for each parish is available during all such hours as are necessary to facilitate the following:

- (1) Timely filing of death certificates.
- (2) Timely issuance of death certificates to persons entitled to such records pursuant to the provisions of present law.

Present law requires a funeral director, or person acting as such for the purposes of present law, to prepare and file death certificates in accordance with the provisions of present law.

Proposed law adds requirement that the funeral director or person acting as such prepare and file death certificates in the most timely manner possible in each circumstance.

Present law requires the funeral director, or other person required by present law to initiate a death certificate, to initiate such certificate in original only and to file the original with a local registrar. Proposed law adds a condition stipulating that upon completion of a death certificate, the funeral director or person acting as such shall file the original with a local registrar as soon as is practicable, but in no case more than 48 hours after completion of the certificate.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 40:37, 39.1(D), 49(A), and 50(A); Adds R.S. 40:33(H), 36(H), 41(C)(6), and 50(D))