

1 STATE OF OKLAHOMA

2 1st Session of the 55th Legislature (2015)

3 HOUSE BILL 1603

By: Sherrer

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5  
6 AS INTRODUCED

7 An Act relating to public health and safety; amending  
8 63 O.S. 2011, Section 1-323, as amended by Section  
9 211, Chapter 1, O.S.L. 2014 (63 O.S. Supp. 2014,  
10 Section 1-323), which relates to vital statistics  
11 records; permitting attorney to obtain vital  
12 statistics records of certain person; and providing  
13 an effective date.

14 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

15 SECTION 1. AMENDATORY 63 O.S. 2011, Section 1-323, as  
16 amended by Section 211, Chapter 1, O.S.L. 2014 (63 O.S. Supp. 2014,  
17 Section 1-323), is amended to read as follows:

18 Section 1-323. A. To protect the integrity of vital statistics  
19 records, to insure their proper use, and to insure the efficient and  
20 proper administration of the vital statistics system, it shall be  
21 unlawful for any person to permit inspection of, or to disclose  
22 information contained in, vital statistics records, or to copy or  
23 issue a copy of all or part of any such record except to the person  
24 who is the subject of the record or in such person's interest, including an attorney representing such person, unless ordered to do

1 so by a court of competent jurisdiction; provided that death  
2 certificates shall be considered publicly available records seventy-  
3 five (75) years after the death and birth certificates shall be  
4 considered publicly available records one hundred twenty-five (125)  
5 years after the birth. Certified copies of birth certificates and  
6 death certificates shall be provided without cost and without a  
7 court order to the Attorney General or to any district attorney upon  
8 request in the course of a criminal investigation.

9 B. The State Commissioner of Health may authorize the  
10 disclosure of data contained in vital statistics records for public  
11 health surveillance or research purposes.

12 C. The State Department of Health shall transmit to the  
13 Department of Public Safety:

14 1. At the end of each quarter year, a list of all registered  
15 deaths which have occurred during such period of time. Upon receipt  
16 of such list the Department of Public Safety shall use such list  
17 solely to update Department of Public Safety records and to cancel  
18 the driver license for those deceased individuals with a valid  
19 Oklahoma driver license at the time of death;

20 2. At the end of each month, a report of all registered deaths  
21 that resulted from a motor vehicle collision which have occurred  
22 during such period of time. The report shall be used by the  
23 Department solely for the purpose of statistical analysis and  
24 reporting; and

1           3. Upon written request from the Department, a death  
2 certificate. The certificate shall be used solely by the Fatality  
3 Analysis Reporting System (FARS) Analyst of the Oklahoma Highway  
4 Safety Office to populate the federal FARS database.

5           D. Each month, the Commissioner shall authorize the  
6 transmission to the Oklahoma Health Care Authority of a certified  
7 list of all registered deaths of residents of this state that have  
8 occurred within the state for the immediately preceding month. The  
9 Oklahoma Health Care Authority shall use the transmitted list to  
10 ascertain the names of those individuals participating in the state  
11 Medicaid program who are deceased, and shall thereafter terminate  
12 such deceased person's enrollment in the state Medicaid program.

13           E. For the purpose of assisting in the location and recovery of  
14 missing children, information pertaining to birth certificates and  
15 requests for copies of birth certificates shall be provided to the  
16 Oklahoma State Bureau of Investigation pursuant to the provisions of  
17 Section 1-323.1 of this title and Section 150.12A of Title 74 of the  
18 Oklahoma Statutes.

19           F. The Commissioner shall authorize the transmission of death  
20 certificates to the Department of Labor for the purpose of the  
21 Department of Labor conducting a census of total occupational  
22 injuries and illnesses. The Department shall transmit to the  
23 Department of Labor statistics of fatal occupational injuries that  
24 shall include the following:

- 1 1. Name of the deceased;
- 2 2. Date of death;
- 3 3. Sex;
- 4 4. Race;
- 5 5. Age;
- 6 6. Birth date;
- 7 7. Social security number;
- 8 8. Whether an autopsy was conducted;
- 9 9. Month of the accident; and
- 10 10. Whether decedent was of Hispanic origin.

11 ~~H.~~ G. The Department of Labor shall be required to protect the  
12 integrity of the vital statistics records to the same extent  
13 required of the Department pursuant to this section.

14 SECTION 2. This act shall become effective November 1, 2015.

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16 55-1-5600 AM 12/18/14  
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