

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                                   STATE OF OKLAHOMA

3                                   2nd Session of the 58th Legislature (2022)

4 COMMITTEE SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 3540

By: Caldwell (Chad) of the  
House

and

**Pugh** of the Senate

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10                                   COMMITTEE SUBSTITUTE

11                   An Act relating to physician assistants; amending 63  
12 O.S. 2021, Section 1-317, which relates to death  
13 certificates; permitting physician assistants to sign  
14 the medical certification of a death certificate; and  
15 providing an effective date.

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

17                   SECTION 1.           AMENDATORY           63 O.S. 2021, Section 1-317, is  
18 amended to read as follows:

19                   Section 1-317. A. A death certificate for each death which  
20 occurs in this state shall be filed with the State Department of  
21 Health, within three (3) days after such death.

22                   B. The funeral director shall personally sign the death  
23 certificate and shall be responsible for filing the death  
24 certificate. If the funeral director is not available, the person

1 acting as such who first assumes custody of a dead body in  
2 accordance with Section 1158 of Title 21 of the Oklahoma Statutes  
3 shall personally sign and file the death certificate. The personal  
4 data shall be obtained from the next of kin or the best qualified  
5 person or source available. The certificate shall be completed as  
6 to personal data and delivered to the attending physician or the  
7 medical examiner responsible for completing the medical  
8 certification portion of the certificate of death within twenty-four  
9 (24) hours after the death. No later than July 1, 2012, the  
10 personal data, and no later than July 1, 2017, the medical  
11 certificate portion, shall be entered into the prescribed electronic  
12 system provided by the State Registrar of Vital Statistics and the  
13 information submitted to the State Registrar of Vital Statistics.  
14 The resultant certificate produced by the electronic system shall be  
15 provided to the physician or medical examiner for medical  
16 certification within twenty-four (24) hours after the death.

17 C. The medical certification shall be completed and signed  
18 within forty-eight (48) hours after death by the physician or  
19 advanced practice registered nurse or physician assistant in charge  
20 of the patient's care for the illness or condition which resulted in  
21 death, except when inquiry as to the cause of death is required by  
22 Section 938 of this title. No later than July 1, 2017, the medical  
23 certification portion of certificate data shall be entered into the  
24 prescribed electronic system provided by the State Registrar of

1 Vital Statistics and the information submitted to the State  
2 Registrar of Vital Statistics.

3 D. In the event that the physician or advanced practice  
4 registered nurse or physician assistant in charge of the patient's  
5 care for the illness or condition which resulted in death is not in  
6 attendance at the time of death, the medical certification shall be  
7 completed and signed within forty-eight (48) hours after death by  
8 the physician or advanced practice registered nurse or physician  
9 assistant in attendance at the time of death, except:

10 1. When the patient is under hospice care at the time of death,  
11 the medical certification may be signed by the hospice's medical  
12 director; and

13 2. When inquiry as to the cause of death is required by Section  
14 938 of this title.

15 Provided, that such certification, if signed by other than the  
16 attending physician or advanced practice registered nurse or  
17 physician assistant, shall note on the face the name of the  
18 attending physician, physician assistant, or advanced practice  
19 registered nurse and that the information shown is only as reported.

20 E. A certifier completing cause of death on a certificate of  
21 death who knows that a lethal drug, overdose or other means of  
22 assisting suicide within the meaning of Sections 3141.2 through  
23 3141.4 of this title caused or contributed to the death shall list  
24 that means among the chain of events under cause of death or list it

1 in the box that describes how the injury occurred. If such means is  
2 in the chain of events under cause of death or in the box that  
3 describes how the injury occurred, the certifier shall indicate  
4 "suicide" as the manner of death.

5 SECTION 2. This act shall become effective November 1, 2022.

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7 COMMITTEE REPORT BY: COMMITTEE ON HEALTH SERVICES AND LONG-TERM  
8 CARE, dated 03/02/2022 - DO PASS, As Amended and Coauthored.

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