

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

SENATE BILL 599

By: Montgomery

AS INTRODUCED

An Act relating to vital records; amending 63 O.S. 2021, Section 1-317, as last amended by Section 1, Chapter 184, O.S.L. 2022 (63 O.S. Supp. 2022, Section 1-317), which relates to death certificates; lengthening time period for certain requirements; providing for disciplinary penalties; and providing an effective date.

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

SECTION 1. AMENDATORY 63 O.S. 2021, Section 1-317, as last amended by Section 1, Chapter 184, O.S.L. 2022 (63 O.S. Supp. 2022, Section 1-317), is amended to read as follows:

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

B. The funeral director shall personally sign the death certificate and shall be responsible for filing the death certificate. If the funeral director is not available, the person acting as such who first assumes custody of a dead body in accordance with Section 1158 of Title 21 of the Oklahoma Statutes

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

15 C. The medical certification shall be completed and signed
16 within ~~forty-eight (48) hours~~ fourteen (14) calendar days after
17 death by the physician, physician assistant, or advanced practice
18 registered nurse in charge of the patient's care for the illness or
19 condition which resulted in death, except when inquiry as to the
20 cause of death is required by Section 938 of this title. No later
21 than July 1, 2017, the medical certification portion of certificate
22 data shall be entered into the prescribed electronic system provided
23 by the State Registrar of Vital Statistics and the information
24 submitted to the State Registrar of Vital Statistics.

1 D. In the event that the physician, physician assistant, or
2 advanced practice registered nurse in charge of the patient's care
3 for the illness or condition which resulted in death is not in
4 attendance at the time of death, the medical certification shall be
5 completed and signed within ~~forty-eight (48) hours~~ fourteen (14)
6 calendar days after death by the physician, physician assistant, or
7 advanced practice registered nurse in attendance at the time of
8 death, except:

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

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

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

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

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

4 F. The authority of a physician assistant to carry out the
5 functions described in this section shall be governed by the
6 practice agreement as provided by Section 519.6 of Title 59 of the
7 Oklahoma Statutes.

8 G. Noncompliance with the requirements for timely completion
9 and signing of a medical certification as provided in this section
10 may be grounds for disciplinary action by the licensing board of the
11 physician, physician assistant, or Advanced Practice Registered
12 Nurse.

13 SECTION 2. This act shall become effective November 1, 2023.

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