

SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 517

AN ACT

To repeal sections 193.015 and 193.145, RSMo, and to enact in lieu thereof two new sections relating to death certificates.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI,
AS FOLLOWS:

1 Section A. Sections 193.015 and 193.145, RSMo, are repealed
2 and two new sections enacted in lieu thereof, to be known as
3 sections 193.015 and 193.145, to read as follows:

4 193.015. As used in sections 193.005 to 193.325, unless the
5 context clearly indicates otherwise, the following terms shall
6 mean:

7 (1) "Advanced practice registered nurse", a person licensed
8 to practice as an advanced practice registered nurse under
9 chapter 335, and who has been delegated tasks outlined in section
10 193.145 by a physician with whom they have entered into a
11 collaborative practice arrangement under chapter 334;

12 (2) "Assistant physician", as such term is defined in
13 section 334.036, and who has been delegated tasks outlined in
14 section 193.145 by a physician with whom they have entered into a
15 collaborative practice arrangement under chapter 334;

16 (3) "Dead body", a human body or such parts of such human

1 body from the condition of which it reasonably may be concluded
2 that death recently occurred;

3 [(2)] (4) "Department", the department of health and senior
4 services;

5 [(3)] (5) "Final disposition", the burial, interment,
6 cremation, removal from the state, or other authorized
7 disposition of a dead body or fetus;

8 [(4)] (6) "Institution", any establishment, public or
9 private, which provides inpatient or outpatient medical,
10 surgical, or diagnostic care or treatment or nursing, custodian,
11 or domiciliary care, or to which persons are committed by law;

12 [(5)] (7) "Live birth", the complete expulsion or
13 extraction from its mother of a child, irrespective of the
14 duration of pregnancy, which after such expulsion or extraction,
15 breathes or shows any other evidence of life such as beating of
16 the heart, pulsation of the umbilical cord, or definite movement
17 of voluntary muscles, whether or not the umbilical cord has been
18 cut or the placenta is attached;

19 [(6)] (8) "Physician", a person authorized or licensed to
20 practice medicine or osteopathy pursuant to chapter 334;

21 [(7)] (9) "Physician assistant", a person licensed to
22 practice as a physician assistant pursuant to chapter 334, and
23 who has been delegated tasks outlined in section 193.145 by a
24 physician with whom they have entered into a supervision
25 agreement under chapter 334;

26 (10) "Spontaneous fetal death", a noninduced death prior to
27 the complete expulsion or extraction from its mother of a fetus,
28 irrespective of the duration of pregnancy; the death is indicated

1 by the fact that after such expulsion or extraction the fetus
2 does not breathe or show any other evidence of life such as
3 beating of the heart, pulsation of the umbilical cord, or
4 definite movement of voluntary muscles;

5 [(8)] (11) "State registrar", state registrar of vital
6 statistics of the state of Missouri;

7 [(9)] (12) "System of vital statistics", the registration,
8 collection, preservation, amendment and certification of vital
9 records; the collection of other reports required by sections
10 193.005 to 193.325 and section 194.060; and activities related
11 thereto including the tabulation, analysis and publication of
12 vital statistics;

13 [(10)] (13) "Vital records", certificates or reports of
14 birth, death, marriage, dissolution of marriage and data related
15 thereto;

16 [(11)] (14) "Vital statistics", the data derived from
17 certificates and reports of birth, death, spontaneous fetal
18 death, marriage, dissolution of marriage and related reports.

19 193.145. 1. A certificate of death for each death which
20 occurs in this state shall be filed with the local registrar, or
21 as otherwise directed by the state registrar, within five days
22 after death and shall be registered if such certificate has been
23 completed and filed pursuant to this section. All data providers
24 in the death registration process, including, but not limited to,
25 the state registrar, local registrars, the state medical
26 examiner, county medical examiners, coroners, funeral directors
27 or persons acting as such, embalmers, sheriffs, attending
28 physicians and resident physicians, physician assistants,

1 assistant physicians, advanced practice registered nurses, and
2 the chief medical officers of licensed health care facilities,
3 and other public or private institutions providing medical care,
4 treatment, or confinement to persons, shall be required to use
5 and utilize any electronic death registration system required and
6 adopted under subsection 1 of section 193.265 within six months
7 of the system being certified by the director of the department
8 of health and senior services, or the director's designee, to be
9 operational and available to all data providers in the death
10 registration process. However, should the person or entity that
11 certifies the cause of death not be part of, or does not use, the
12 electronic death registration system, the funeral director or
13 person acting as such may enter the required personal data into
14 the electronic death registration system and then complete the
15 filing by presenting the signed cause of death certification to
16 the local registrar, in which case the local registrar shall
17 issue death certificates as set out in subsection 2 of section
18 193.265. Nothing in this section shall prevent the state
19 registrar from adopting pilot programs or voluntary electronic
20 death registration programs until such time as the system can be
21 certified; however, no such pilot or voluntary electronic death
22 registration program shall prevent the filing of a death
23 certificate with the local registrar or the ability to obtain
24 certified copies of death certificates under subsection 2 of
25 section 193.265 until six months after such certification that
26 the system is operational.

27 2. If the place of death is unknown but the dead body is
28 found in this state, the certificate of death shall be completed

1 and filed pursuant to the provisions of this section. The place
2 where the body is found shall be shown as the place of death.
3 The date of death shall be the date on which the remains were
4 found.

5 3. When death occurs in a moving conveyance in the United
6 States and the body is first removed from the conveyance in this
7 state, the death shall be registered in this state and the place
8 where the body is first removed shall be considered the place of
9 death. When a death occurs on a moving conveyance while in
10 international waters or air space or in a foreign country or its
11 air space and the body is first removed from the conveyance in
12 this state, the death shall be registered in this state but the
13 certificate shall show the actual place of death if such place
14 may be determined.

15 4. The funeral director or person in charge of final
16 disposition of the dead body shall file the certificate of death.
17 The funeral director or person in charge of the final disposition
18 of the dead body shall obtain or verify:

19 (1) The personal data from the next of kin or the best
20 qualified person or source available; and

21 (2) The medical certification from the person responsible
22 for such certification.

23 5. The medical certification shall be completed, attested
24 to its accuracy either by signature or an electronic process
25 approved by the department, and returned to the funeral director
26 or person in charge of final disposition within seventy-two hours
27 after death by the physician, physician assistant, assistant
28 physician, advanced practice registered nurse in charge of the

1 patient's care for the illness or condition which resulted in
2 death. In the absence of the physician, physician assistant,
3 assistant physician, advanced practice registered nurse or with
4 the physician's, physician assistant's, assistant physician's, or
5 advanced practice registered nurse's approval the certificate may
6 be completed and attested to its accuracy either by signature or
7 an approved electronic process by the physician's associate
8 physician, the chief medical officer of the institution in which
9 death occurred, or the physician who performed an autopsy upon
10 the decedent, provided such individual has access to the medical
11 history of the case, views the deceased at or after death and
12 death is due to natural causes. The state registrar may approve
13 alternate methods of obtaining and processing the medical
14 certification and filing the death certificate. The Social
15 Security number of any individual who has died shall be placed in
16 the records relating to the death and recorded on the death
17 certificate.

18 6. When death occurs from natural causes more than
19 thirty-six hours after the decedent was last treated by a
20 physician, physician assistant, assistant physician, advanced
21 practice registered nurse, the case shall be referred to the
22 county medical examiner [or], coroner [or], physician, physician
23 assistant, assistant physician, advanced practice registered
24 nurse, or local registrar for investigation to determine and
25 certify the cause of death. If the death is determined to be of
26 a natural cause, the medical examiner or coroner or local
27 registrar shall refer the certificate of death to the attending
28 physician, physician assistant, assistant physician, advanced

1 practice registered nurse for such [physician's] certification.
2 If the attending physician, physician assistant, assistant
3 physician, advanced practice registered nurse refuses or is
4 otherwise unavailable, the medical examiner or coroner or local
5 registrar shall attest to the accuracy of the certificate of
6 death either by signature or an approved electronic process
7 within thirty-six hours.

8 7. If the circumstances suggest that the death was caused
9 by other than natural causes, the medical examiner or coroner
10 shall determine the cause of death and shall complete and attest
11 to the accuracy either by signature or an approved electronic
12 process the medical certification within seventy-two hours after
13 taking charge of the case.

14 8. If the cause of death cannot be determined within
15 seventy-two hours after death, the attending medical examiner or
16 coroner [or], attending physician, physician assistant, assistant
17 physician, advanced practice registered nurse, or local registrar
18 shall give the funeral director, or person in charge of final
19 disposition of the dead body, notice of the reason for the delay,
20 and final disposition of the body shall not be made until
21 authorized by the medical examiner or coroner, attending
22 physician, physician assistant, assistant physician, advanced
23 practice registered nurse, or local registrar.

24 9. When a death is presumed to have occurred within this
25 state but the body cannot be located, a death certificate may be
26 prepared by the state registrar upon receipt of an order of a
27 court of competent jurisdiction which shall include the finding
28 of facts required to complete the death certificate. Such a

1 death certificate shall be marked "Presumptive", show on its face
2 the date of registration, and identify the court and the date of
3 decree.

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