

HB 2074 -- ELECTRONIC DEATH REGISTRATION SYSTEM

SPONSOR: White

This bill changes the laws regarding the electronic death registration system.

Currently, a certificate of death for each death that occurs in Missouri must be filed with the local registrar or the State Registrar within five days after the death. This bill changes the time frame to within five business days.

Currently, if a person or entity that certifies the cause of death is not a part of or does not use the electronic death registration system, the funeral director or other person acting as such may enter the decedent's personal data in the electronic system and then complete the filing by presenting the signed cause of death certification to the local registrar. The bill repeals these provisions.

By September 1, 2015, the Department of Health and Senior Services must develop an electronic death registration system. The electronic death registration system must utilize a secure login for data providers, but must not require data providers to change their authentication data including, but not limited to their user identification or password more than once annually and must provide a secure mechanism for data providers to regain access to the system via a "forgot password" function in the event the providers are unable to recall their authentication data.

The funeral director must enter the personal data as required under these provisions into the electronic system within one business day of receipt of the information. Upon entry and completion of the personal data in the electronic death registration system, the system must automatically notify the physician in charge of the patient's care for the illness or condition which resulted in death using an electronic notification as determined by the department.

Currently, the medical certification must be completed, attested to its accuracy either by signature or an electronic process approved by the department, and returned to the funeral director or person in charge of final disposition within 72 hours after death. The bill repeals the provisions permitting attestation by signature and increases the time to return the document to the funeral director to within three business days of the electronic notification by the physician in charge of the patient's care for the illness or condition which resulted in death.

If the physician is unable to complete the medical certification

due to exigent circumstances including an immediate or long-term absence or illness, the physician must complete the medical certification as soon as practicable, or in the absence of the physician or with the physician's approval the certificate may be completed and attested to its accuracy by the approved electronic process by the physician's associate physician, the chief medical officer of the institution in which death occurred, an individual to whom the physician has delegated authority to complete the certificate, or the physician who performed an autopsy upon the decedent provided the individual has access to the medical history of the case, views the deceased at or after death, and death is due to natural causes.

The bill repeals the provision allowing the State Registrar to approve alternate methods of obtaining and processing the medical certification and filing the death certificate.

Any physician, nurse practitioner, physician assistant, or other medical professional who in good faith completes a medical certification of death or determines the cause of death must be immune from civil liability only for the certificate completion or determination of cause of death, absent gross negligence or willful misconduct.

If determination of the cause of death is prolonged because further testing is necessary or other exigent circumstances, the certificate of death must be completed within six months after death.

If a certificate of death is not filed with the local registrar or State Registrar within five business days after death, the State Registrar must upon request issue a provisional certificate of death. Upon filing of the certificate of death with the local registrar or State Registrar, the State Registrar must issue a certificate of death. After the certificate of death has been completed, any person who has obtained a provisional certificate of death may obtain a copy of the completed certificate of death at no charge.