

House _____ Amendment NO. _____

Offered By

AMEND House Committee Substitute for House Bill No. 405, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

"58.095. 1. The county coroner in any county, other than in a first classification chartered county, shall receive an annual salary computed on a basis as set forth in the following schedule. The provisions of this section shall not permit or require a reduction in the amount of compensation being paid for the office of coroner on January 1, 1997:

Assessed Valuation	Salary
\$ 18,000,000 to 40,999,999	\$8,000
41,000,000 to 53,999,999	8,500
54,000,000 to 65,999,999	9,000
66,000,000 to 85,999,999	9,500
86,000,000 to 99,999,999	10,000
100,000,000 to 130,999,999	11,000
131,000,000 to 159,999,999	12,000
160,000,000 to 189,999,999	13,000
190,000,000 to 249,999,999	14,000
250,000,000 to 299,999,999	15,000
300,000,000 or more	16,000

2. One thousand dollars of the salary authorized in this section shall be payable to the coroner only if the coroner has completed at least twenty hours of classroom instruction each calendar year relating to the operations of the coroner's office when approved by ~~[a professional association of the county coroners of Missouri]~~ the Missouri Coroners' and Medical Examiners' Association unless exempted from the training by the ~~[professional association]~~ Missouri Coroners' and Medical Examiners' Association. The ~~[professional association approving the program]~~ Missouri Coroners' and Medical Examiners' Association shall provide a certificate of completion to each coroner who completes the training program and shall send a list of certified coroners to the treasurer of each county. Expenses incurred for attending the training session may be reimbursed to the county coroner in the same manner as other expenses as may be appropriated for that purpose. All elected or appointed coroners, deputy coroners, and assistants to the coroner shall complete the annual training described in this subsection within six months of election or appointment.

3. The county coroner in any county, other than a first classification charter county, shall not, except upon two-thirds vote of all the members of the salary commission, receive an annual compensation in an amount less than the total compensation being received for the office of county coroner in the particular county for services rendered or performed on the date the salary commission votes.

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4. For the term beginning in 1997, the compensation of the coroner, in counties in which the salary commission has not voted to pay one hundred percent of the maximum allowable salary, shall be a percentage of the maximum allowable salary established by this section. The percentage applied shall be the same percentage of the maximum allowable salary received or allowed, whichever is greater, to the presiding commissioner or sheriff, whichever is greater, of that county for the year beginning January 1, 1997. In those counties in which the salary commission has voted to pay one hundred percent of the maximum allowable salary, the compensation of the coroner shall be based on the maximum allowable salary in effect at each time a coroner's term of office commences following the vote to pay one hundred percent of the maximum allowable compensation. Subsequent compensation shall be determined as provided in section 50.333.

5. Effective January 1, 1997, the county coroner in any county, other than a county of the first classification with a charter form of government, may, upon the approval of the county commission, receive additional compensation for any month during which investigations or other services are performed for three or more decedents in the same incident during such month. The additional compensation shall be an amount that when added to the regular compensation the sum shall equal the monthly compensation of the county sheriff.

58.208. 1. For any death certificate certified under section 193.145, there shall be a fee of one dollar, which shall be deposited into the Missouri state coroners' training fund established under subsection 2 of this section. Moneys in such fund shall be used by the Missouri Coroners' and Medical Examiners' Association:

(1) For training equipment and supplies necessary to operate such fund; and

(2) To provide aid to training programs approved by the Missouri Coroners' and Medical Examiners' Association.

2. (1) There is hereby created in the state treasury the "Missouri State Coroners' Training Fund", which shall consist of moneys collected under subsection 1 of this section. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, moneys in the fund shall be used solely for the administration of subsection 1 of this section.

(2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

(3) The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund."; and

Further amend said bill, Page 6, Section 58.720, Line 86, by inserting after all of said section and line the following:

"193.145. 1. A certificate of death for each death which occurs in this state shall be filed with the local registrar, or as otherwise directed by the state registrar, within five days after death and shall be registered if such certificate has been completed and filed pursuant to this section. All data providers in the death registration process, including, but not limited to, the state registrar, local registrars, the state medical examiner, county medical examiners, coroners, funeral directors or persons acting as such, embalmers, sheriffs, attending physicians and resident physicians, physician assistants, assistant physicians, advanced practice registered nurses, and the chief medical officers of licensed health care facilities, and other public or private institutions providing medical care, treatment, or confinement to persons, shall be required to use and utilize any electronic death registration system required and adopted under subsection 1 of section 193.265 within six months of the system being certified by the director of the department of health and senior services, or the director's designee, to be operational and available to all data providers in the death registration

1 process. However, should the person or entity that certifies the cause of death not be part of, or
2 does not use, the electronic death registration system, the funeral director or person acting as such
3 may enter the required personal data into the electronic death registration system and then complete
4 the filing by presenting the signed cause of death certification to the local registrar, in which case
5 the local registrar shall issue death certificates as set out in subsection 2 of section 193.265.
6 Nothing in this section shall prevent the state registrar from adopting pilot programs or voluntary
7 electronic death registration programs until such time as the system can be certified; however, no
8 such pilot or voluntary electronic death registration program shall prevent the filing of a death
9 certificate with the local registrar or the ability to obtain certified copies of death certificates under
10 subsection 2 of section 193.265 until six months after such certification that the system is
11 operational.

12 2. If the place of death is unknown but the dead body is found in this state, the certificate of
13 death shall be completed and filed pursuant to the provisions of this section. The place where the
14 body is found shall be shown as the place of death. The date of death shall be the date on which the
15 remains were found.

16 3. When death occurs in a moving conveyance in the United States and the body is first
17 removed from the conveyance in this state, the death shall be registered in this state and the place
18 where the body is first removed shall be considered the place of death. When a death occurs on a
19 moving conveyance while in international waters or air space or in a foreign country or its air space
20 and the body is first removed from the conveyance in this state, the death shall be registered in this
21 state but the certificate shall show the actual place of death if such place may be determined.

22 4. The funeral director or person in charge of final disposition of the dead body shall file the
23 certificate of death. The funeral director or person in charge of the final disposition of the dead
24 body shall obtain or verify and enter into the electronic death registration system:

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

26 (2) The medical certification from the person responsible for such certification if designated
27 to do so under subsection 5 of this section; and

28 (3) Any other information or data that may be required to be placed on a death certificate or
29 entered into the electronic death certificate system including, but not limited to, the name and
30 license number of the embalmer.

31 5. The medical certification shall be completed, attested to its accuracy either by signature
32 or an electronic process approved by the department, and returned to the funeral director or person
33 in charge of final disposition within seventy-two hours after death by the physician, physician
34 assistant, assistant physician, or advanced practice registered nurse in charge of the patient's care for
35 the illness or condition which resulted in death. In the absence of the physician, physician assistant,
36 assistant physician, advanced practice registered nurse or with the physician's, physician assistant's,
37 assistant physician's, or advanced practice registered nurse's approval the certificate may be
38 completed and attested to its accuracy either by signature or an approved electronic process by the
39 physician's associate physician, the chief medical officer of the institution in which death occurred,
40 or the physician who performed an autopsy upon the decedent, provided such individual has access
41 to the medical history of the case, views the deceased at or after death and death is due to natural
42 causes. The person authorized to complete the medical certification may, in writing, designate any
43 other person to enter the medical certification information into the electronic death registration
44 system if the person authorized to complete the medical certificate has physically or by electronic
45 process signed a statement stating the cause of death. Any persons completing the medical
46 certification or entering data into the electronic death registration system shall be immune from civil
47 liability for such certification completion, data entry, or determination of the cause of death, absent
48 gross negligence or willful misconduct. The state registrar may approve alternate methods of

1 obtaining and processing the medical certification and filing the death certificate. The Social
 2 Security number of any individual who has died shall be placed in the records relating to the death
 3 and recorded on the death certificate.

4 6. When death occurs from natural causes more than thirty-six hours after the decedent was
 5 last treated by a physician, physician assistant, assistant physician, advanced practice registered
 6 nurse, the case shall be referred to the county medical examiner or coroner or physician or local
 7 registrar for investigation to determine and certify the cause of death. If the death is determined to
 8 be of a natural cause, the medical examiner or coroner or local registrar shall refer the certificate of
 9 death to the attending physician, physician assistant, assistant physician, or advanced practice
 10 registered nurse for such certification. If the attending physician, physician assistant, assistant
 11 physician, or advanced practice registered nurse refuses or is otherwise unavailable, the medical
 12 examiner or coroner or local registrar shall attest to the accuracy of the certificate of death either by
 13 signature or an approved electronic process within thirty-six hours.

14 7. If the circumstances suggest that the death was caused by other than natural causes, the
 15 medical examiner or coroner shall determine the cause of death and shall ~~[complete and attest to the~~
 16 ~~accuracy]~~, either by signature or an approved electronic process, complete and attest to the accuracy
 17 of the medical certification within seventy-two hours after taking charge of the case.

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

25 9. When a death is presumed to have occurred within this state but the body cannot be
 26 located, a death certificate may be prepared by the state registrar upon receipt of an order of a court
 27 of competent jurisdiction which shall include the finding of facts required to complete the death
 28 certificate. Such a death certificate shall be marked "Presumptive", show on its face the date of
 29 registration, and identify the court and the date of decree.

30 10. (1) The department of health and senior services shall notify all physicians, physician
 31 assistants, assistant physicians, and advanced practice registered nurses licensed under chapters 334
 32 and 335 of the requirements regarding the use of the electronic vital records system provided for in
 33 this section.

34 (2) On or before August 30, 2015, the department of health and senior services, division of
 35 community and public health shall create a working group comprised of representation from the
 36 Missouri electronic vital records system users and recipients of death certificates used for
 37 professional purposes to evaluate the Missouri electronic vital records system, develop
 38 recommendations to improve the efficiency and usability of the system, and to report such findings
 39 and recommendations to the general assembly no later than January 1, 2016.

40 11. Notwithstanding any provision of law, if a coroner is not current or is without the
 41 approved training required under chapter 58, the department of health and senior services may
 42 prohibit such coroner from attesting to the accuracy of the certificate of death."; and

43
 44 Further amend said bill by amending the title, enacting clause, and intersectional references
 45 accordingly.