

SECOND REGULAR SESSION

HOUSE BILL NO. 1990

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE GREEN (15).

Read 1st time February 19, 2002, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

2364L.01I

AN ACT

To repeal section 193.145, RSMo, and to enact in lieu thereof one new section relating to the issuance of a death certificate for stillborn babies.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 193.145, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 193.145, to read as follows:

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. **Upon request of the parents, a certificate of death for a stillborn child, as defined in section 194.200, RSMo, shall be filed and registered in the same manner as stated above.**

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

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

4. The funeral director or person acting as such in charge of final disposition of the dead body shall file the certificate of death. The funeral director shall obtain:

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

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

22 5. The medical certification shall be completed, signed, and returned to the funeral
23 director or person acting as such within seventy-two hours after death by the physician in charge
24 of the patient's care for the illness or condition which resulted in death. In the absence of the
25 physician or with the physician's approval the certificate may be completed and signed by the
26 physician's associate physician, the chief medical officer of the institution in which death
27 occurred, or the physician who performed an autopsy upon the decedent, provided such
28 individual has access to the medical history of the case, views the deceased at or after death and
29 death is due to natural causes. The Social Security number of any individual who has died shall
30 be placed in the records relating to the death and recorded on the death certificate.

31 6. When death occurs from natural causes more than thirty-six hours after the decedent
32 was last treated by a physician, the case shall be referred to the county medical examiner or
33 coroner or physician or local registrar for investigation to determine and certify the cause of
34 death. If the death is determined to be of a natural cause, the medical examiner or coroner or
35 local registrar shall refer the certificate of death to the attending physician for such physician's
36 certification. If the attending physician refuses or is otherwise unavailable, the medical examiner
37 or coroner or local registrar shall sign the certificate of death within thirty-six hours.

38 7. If the circumstances suggest that the death was caused by other than natural causes,
39 the medical examiner or coroner shall determine the cause of death and shall complete and sign
40 the medical certification within seventy-two hours after taking charge of the case.

41 8. If the cause of death cannot be determined within seventy-two hours after death, the
42 attending medical examiner or coroner or attending physician or local registrar shall give the
43 funeral director, or person acting as such, notice of the reason for the delay, and final disposition
44 of the body shall not be made until authorized by the medical examiner or coroner, attending
45 physician or local registrar.

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