

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill No. 242, Page 1, Section A, Line 2, by
2 inserting immediately after said section and line the following:

3
4 "58.035. 1. There is hereby established within the department of health and senior services
5 a "Coroner Standards and Training Commission", which shall be composed of eleven members,
6 appointed by the governor, with the advice and consent of the senate. No more than two members
7 of the coroner standards and training commission shall reside in the same congressional district as
8 any other at the time of their appointments but this provision shall not apply to any state director.
9 No two members of the commission shall be employees of the same county. Six members of the
10 coroner standards and training commission shall be elected county coroners, two members shall be
11 currently appointed medical examiners, one member shall be an elected county prosecutor, one
12 member shall be the director of the department of public safety or his or her designee, and one
13 member shall be the director of the department of health and senior services or his or her designee.
14 Each member of the coroner standards and training commission shall have been at the time of his
15 appointment a citizen of the United States and a resident of this state for a period of at least one
16 year, and members who are coroners shall be qualified as established by chapter 58. No member of
17 the commission, except the directors of state departments, serving a full term of three years may be
18 reappointed to the coroner standards and training commission until at least one year after the
19 expiration of his or her most recent term.

20 2. Three of the original members of the coroner standards and training commission shall be
21 appointed for terms of one year, three of the original members shall be appointed for terms of two
22 years, and three of the original members shall be appointed for terms of three years. Thereafter the
23 terms of the members of the coroner standards and training commission, except the state department
24 directors, shall be for three years or until their successors are appointed. The governor may remove
25 any member of the coroner standards and training commission for misconduct or neglect of office.
26 Any member of the coroner standards and training commission may be removed for cause by the
27 governor but such member shall first be presented with a written statement of the reasons thereof,
28 and shall have a hearing before the coroner standards and training commission if the member so
29 requests.

30 3. Annually the commission shall elect one of the members as chairperson. The coroner
31 standards and training commission shall meet at least twice each year as determined by the director
32 of the department of health and senior services or his or her designee, the chairperson, or a majority
33 of the members to perform its duties. A majority of the members of the coroner standards and
34 training commission shall constitute a quorum.

35 4. No member of the coroner standards and training commission shall receive any
36 compensation for the performance of his or her official duties.

Action Taken _____ Date _____

1 5. The coroner standards and training commission shall establish training standards relating
 2 to the office of county coroner. These standards shall relate to the operation of the office, the legal
 3 responsibilities of the office, and the technical skills and knowledge required of the office. The
 4 commission shall establish the training standards by July 1, 2020. The Missouri Coroners' and
 5 Medical Examiners' Association shall begin providing such training by November 1, 2020.

6 6. Any rule or portion of a rule, as that term is defined in section 536.010, that is created
 7 under the authority delegated in this section shall become effective only if it complies with and is
 8 subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and
 9 chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to
 10 chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently
 11 held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after
 12 August 28, 2019, shall be invalid and void.

13 58.095. 1. The county coroner in any county, other than in a [~~first classification chartered~~]
 14 charter county, shall receive an annual salary computed on a basis as set forth in the following
 15 schedule. The provisions of this section shall not permit or require a reduction in the amount of
 16 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

29 2. One thousand dollars of the salary authorized in this section shall be payable to the
 30 coroner only if the coroner has completed at least twenty hours of classroom instruction each
 31 calendar year [~~relating to the operations of the coroner's office when approved by a professional~~
 32 ~~association of the county coroners of Missouri~~] as established by the coroners standards and training
 33 commission unless exempted from the training by the [~~professional association~~] Missouri Coroners'
 34 and Medical Examiners' Association for good cause. The [~~professional association approving the~~
 35 program] Missouri Coroners' and Medical Examiners' Association shall provide a certificate of
 36 completion to each coroner who completes the training program and shall send a list of certified
 37 coroners to the treasurer of each county and the department of health and senior services. The
 38 coroner standards and training commission may certify training programs that satisfy the
 39 requirements of this section in lieu of the training provided by the Missouri Coroners' and Medical
 40 Examiners' Association. Certified training completion shall be submitted to the Missouri Coroners'
 41 and Medical Examiners' Association, which, upon validating the certified training, shall submit the
 42 individual's name to the county treasurer and department of health and senior services indicating the
 43 individual is compliant with the training requirements. Expenses incurred for attending the training
 44 session may be reimbursed to the county coroner in the same manner as other expenses as may be
 45 appropriated for that purpose. All elected or appointed coroners, deputy coroners, and assistants to
 46 the coroner shall complete the annual training described in this subsection within six months of
 47 election or appointment.

48 3. The county coroner in any county, other than a [~~first classification~~] charter county, shall
 49 not, except upon two-thirds vote of all the members of the salary commission, receive an annual

1 compensation in an amount less than the total compensation being received for the office of county
2 coroner in the particular county for services rendered or performed on the date the salary
3 commission votes.

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

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

20 58.208. 1. One dollar of the fee collected for any death certificate issued under section
21 193.265 shall be deposited into the Missouri state coroners' training fund established under
22 subsection 2 of this section. Moneys in such fund shall be used by the Missouri Coroners' and
23 Medical Examiners' Association:

24 (1) For in-state training, equipment, and necessary supplies; and

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

27 2. (1) There is hereby created in the state treasury the "Missouri State Coroners' Training
28 Fund", which shall consist of moneys collected under subsection 1 of this section. The state
29 treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state
30 treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation,
31 moneys in the fund shall be used solely for the administration of subsection 1 of this section.

32 (2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining
33 in the fund over the amount of five hundred thousand dollars shall revert to the credit of the general
34 revenue fund.

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

37 3. Local registrars may, during states of emergency or disaster, request reimbursement from
38 the fund for copies of death certificates issued to individuals who are unable to afford the associated
39 fees."; and

40
41 Further amend said bill, Page 6, Section 58.720, Line 87, by inserting immediately after said section
42 and line the following:

43
44 "193.145. 1. A certificate of death for each death which occurs in this state shall be filed
45 with the local registrar, or as otherwise directed by the state registrar, within five days after death
46 and shall be registered if such certificate has been completed and filed pursuant to this section. All
47 data providers in the death registration process, including, but not limited to, the state registrar, local
48 registrars, the state medical examiner, county medical examiners, coroners, funeral directors or
49 persons acting as such, embalmers, sheriffs, attending physicians and resident physicians, physician

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

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

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

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

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

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

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

36 5. The medical certification shall be completed, attested to its accuracy either by signature
37 or an electronic process approved by the department, and returned to the funeral director or person
38 in charge of final disposition within seventy-two hours after death by the physician, physician
39 assistant, assistant physician, or advanced practice registered nurse in charge of the patient's care for
40 the illness or condition which resulted in death. In the absence of the physician, physician assistant,
41 assistant physician, advanced practice registered nurse or with the physician's, physician assistant's,
42 assistant physician's, or advanced practice registered nurse's approval the certificate may be
43 completed and attested to its accuracy either by signature or an approved electronic process by the
44 physician's associate physician, the chief medical officer of the institution in which death occurred,
45 or the physician who performed an autopsy upon the decedent, provided such individual has access
46 to the medical history of the case, views the deceased at or after death and death is due to natural
47 causes. The person authorized to complete the medical certification may, in writing, designate any
48 other person to enter the medical certification information into the electronic death registration
49 system if the person authorized to complete the medical certificate has physically or by electronic

1 process signed a statement stating the cause of death. Any persons completing the medical
2 certification or entering data into the electronic death registration system shall be immune from civil
3 liability for such certification completion, data entry, or determination of the cause of death, absent
4 gross negligence or willful misconduct. The state registrar may approve alternate methods of
5 obtaining and processing the medical certification and filing the death certificate. The Social
6 Security number of any individual who has died shall be placed in the records relating to the death
7 and recorded on the death certificate.

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

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

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

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

34 10. (1) The department of health and senior services shall notify all physicians, physician
35 assistants, assistant physicians, and advanced practice registered nurses licensed under chapters 334
36 and 335 of the requirements regarding the use of the electronic vital records system provided for in
37 this section.

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

44 11. Notwithstanding any provision of law, if a coroner or deputy coroner is not current with
45 or is without the approved training required under chapter 58, the department of health and senior
46 services shall prohibit such coroner from attesting to the accuracy of a certificate of death. No
47 person elected or appointed to an office of coroner can assume such elected office until the training
48 requirements, as established by the coroner standards and training commission under the provisions
49 of chapter 58, have been completed and a certificate of completion has been issued. In the event a

1 coroner cannot fulfill his or her duties or is no longer qualified to attest to the accuracy of a death
2 certificate, the sheriff of the county shall appoint a medical professional to attest death certificates
3 until such time as the coroner can resume his or her duties or another coroner is appointed or elected
4 to the office.

5 193.265. 1. For the issuance of a certification or copy of a death record, the applicant shall
6 pay a fee of [~~thirteen~~] fourteen dollars for the first certification or copy and a fee of [~~ten~~] eleven
7 dollars for each additional copy ordered at that time. For the issuance of a certification or copy of a
8 birth, marriage, divorce, or fetal death record, the applicant shall pay a fee of fifteen dollars. All
9 fees under this subsection shall be deposited to the state department of revenue. Beginning August
10 28, 2004, for each vital records fee collected, the director of revenue shall credit four dollars to the
11 general revenue fund, five dollars to the children's trust fund, one dollar shall be credited to the
12 endowed care cemetery audit fund, one dollar for each certification or copy of death records to the
13 Missouri state coroners' training fund established in section 58.208, and three dollars for the first
14 copy of death records and five dollars for birth, marriage, divorce, and fetal death records shall be
15 credited to the Missouri public services health fund established in section 192.900. Money in the
16 endowed care cemetery audit fund shall be available by appropriation to the division of professional
17 registration to pay its expenses in administering sections 214.270 to 214.410. All interest earned on
18 money deposited in the endowed care cemetery audit fund shall be credited to the endowed care
19 cemetery fund. Notwithstanding the provisions of section 33.080 to the contrary, money placed in
20 the endowed care cemetery audit fund shall not be transferred and placed to the credit of general
21 revenue until the amount in the fund at the end of the biennium exceeds three times the amount of
22 the appropriation from the endowed care cemetery audit fund for the preceding fiscal year. The
23 money deposited in the public health services fund under this section shall be deposited in a separate
24 account in the fund, and moneys in such account, upon appropriation, shall be used to automate and
25 improve the state vital records system, and develop and maintain an electronic birth and death
26 registration system. For any search of the files and records, when no record is found, the state shall
27 be entitled to a fee equal to the amount for a certification of a vital record for a five-year search to
28 be paid by the applicant. For the processing of each legitimation, adoption, court order or recording
29 after the registrant's twelfth birthday, the state shall be entitled to a fee equal to the amount for a
30 certification of a vital record. Except whenever a certified copy or copies of a vital record is
31 required to perfect any claim of any person on relief, or any dependent of any person who was on
32 relief for any claim upon the government of the state or United States, the state registrar shall, upon
33 request, furnish a certified copy or so many certified copies as are necessary, without any fee or
34 compensation therefor.

35 2. For the issuance of a certification of a death record by the local registrar, the applicant
36 shall pay a fee of [~~thirteen~~] fourteen dollars for the first certification or copy and a fee of [~~ten~~]
37 eleven dollars for each additional copy ordered at that time. For each fee collected under this
38 subsection, one dollar shall be deposited to the state department of revenue and the remainder shall
39 be deposited to the official city or county health agency. The director of revenue shall credit all fees
40 deposited to the state department of revenue under this subsection to the Missouri state coroners'
41 training fund established in section 58.208.

42 3. For the issuance of a certification or copy of a birth, marriage, For the issuance of a
43 certification or copy of a birth, marriage, divorce, or fetal death record, the applicant shall pay a fee
44 of fifteen dollars; except that, in any county with a charter form of government and with more than
45 six hundred thousand but fewer than seven hundred thousand inhabitants, a donation of one dollar
46 may be collected by the local registrar over and above any fees required by law when a certification
47 or copy of any marriage license or birth certificate is provided, with such donations collected to be
48 forwarded monthly by the local registrar to the county treasurer of such county and the donations so
49 forwarded to be deposited by the county treasurer into the housing resource commission fund to

1 assist homeless families and provide financial assistance to organizations addressing homelessness
2 in such county. The local registrar shall include a check-off box on the application form for such
3 copies. All fees collected under this subsection, other than the donations collected in any county
4 with a charter form of government and with more than six hundred thousand but fewer than seven
5 hundred thousand inhabitants for marriage licenses and birth certificates, shall be deposited to the
6 official city or county health agency.

7 4. A certified copy of a death record by the local registrar can only be issued within twenty-
8 four hours of receipt of the record by the local registrar. Computer-generated certifications of death
9 records may be issued by the local registrar after twenty-four hours of receipt of the records. The
10 fees paid to the official county health agency shall be retained by the local agency for local public
11 health purposes."; and

12
13 Further amend said bill by amending the title, enacting clause, and intersectional references
14 accordingly.