

HCS SB 282 -- DISPOSITION OF HUMAN REMAINS

(Vetoed by the Governor)

STATE PERSONNEL LAW

This bill, for the purposes of The State Personnel Law, makes a technical correction to the definition of "surviving spouse" for members of the military killed while on active duty (Section 36.020, RSMo).

DEATH REGISTRATION PROCESS

Currently, the medical certification from a medical provider is entered into the electronic death registration system. This bill requires an attestation from the medical provider who completed the medical certification to be entered into the system as well.

Additionally, if the State Registrar determines that information on a document or record submitted to a local registrar is incomplete, the State Registrar shall return the records or documents with the incomplete information to the local registrar for correction by the data provider, funeral director, or person in charge of the final disposition.

The bill repeals a provision allowing the State Registrar to adopt pilot programs or voluntary electronic death registration programs until an electronic death registration system is certified.

Additionally, this bill repeals a provision requiring the Division of Community and Public Health within the Department of Health and Senior Services to create a working group for the purposes of evaluating the electronic vital records system and submit a report on findings to the General Assembly by January 1, 2016 (Sections 193.145 and 193.265).

RIGHT OF SEPULCHER

Currently, statute specifies the next-of-kin, in the order of priority, who has the right to control the disposition of a dead human body. This bill provides that the surviving spouse shall not be considered as next-of-kin if an action for dissolution of marriage has been filed and is pending in a court of competent jurisdiction. Additionally, the next-of-kin of a deceased person may delegate the final disposition of the deceased to an agent through a power of attorney.

This bill specifies that an individual with a superior claim to the disposition of the deceased may be notified in person or by written

notice with delivery confirmation, rather than "personally served with written notice" by a person with an inferior claim who has the desire to exercise the right to control the final disposition of the deceased (Section 194.119).

ORGAN DONORS

This bill allows a donor to make an anatomical gift by placing a donor symbol sticker authorized and issued by the Department of Health and Senior Services on the back of the donor's driver's license or identification card.

The department shall include on its website information about organ donation and a link where the person making an anatomical gift can register. Once a person has registered, the department will contact the Department of Revenue to determine whether the organ donor symbol is printed on a registrant's driver's license or identification card. If the donor symbol does not appear, the department will mail a donor symbol sticker to be placed on the back of the registrant's driver's license or identification card. State agencies and departments may provide a link on the homepage of their website directing the public to the organ donation information and registration link (Section 302.171).

OUTDOOR CREMATIONS

Under this bill, a licensed funeral establishment may include an outdoor cremation facility. Any cremation performed at an outdoor cremation facility must be performed in the presence of a licensed funeral director, or his or her designee. The funeral establishment must apply to the State Board of Embalmers and Funeral Directors for a permit and provide written notice to the local law enforcement agency at least 24 hours in advance of each outdoor cremation at the outdoor human cremation facility (Section 333.072).