

House Bill 64 (COMMITTEE SUBSTITUTE)

By: Representative Sims of the 169th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 31-10-15 of the Official Code of Georgia Annotated, relating to
2 death certificate filings, so as to provide for the completion and filing of the medical
3 certification as to the cause and circumstances of death during a certain period of time; to
4 provide for penalties; to provide that a coroner shall be authorized to complete and sign a
5 medical certification as to the cause and circumstances of death under certain circumstances;
6 to provide for related matters; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Code Section 31-10-15 of the Official Code of Georgia Annotated, relating to death
10 certificate filings, is amended by revising subsections (b) and (c) as follows:

11 "(b) The funeral director or person acting as such who first assumes custody of the dead
12 body shall file the certificate of death within 72 hours of receiving such certificate by the
13 appropriate physician or coroner. Such director or person shall obtain the personal data
14 from the next of kin or the best qualified person or source available and shall obtain the
15 medical certification from the person responsible therefor.

16 (c)(1) The medical certification as to the cause and circumstances of death shall be
17 completed, signed, and returned to the funeral director or person acting as such within 72
18 hours after death by the physician in charge of the patient's care for the illness or
19 condition which resulted in death, except when inquiry is required by Article 2 of Chapter
20 16 of Title 45, the 'Georgia Death Investigation Act.' In the absence of said physician or
21 with that physician's approval the certificate may be completed and signed by an
22 associate physician, the chief medical officer of the institution in which death occurred,
23 or the physician who performed an autopsy upon the decedent, provided that such
24 individual has access to the medical history of the case, views the deceased at or after
25 death, and death is due to natural causes. If, 30 days after a death, the physician in charge
26 of the patient's care for the illness or condition which resulted in death has failed to

27 complete, sign, and return the medical certification as to the cause and circumstances of
28 death to the funeral director or person acting as such, the funeral director or person acting
29 as such shall be authorized to report such physician to the Composite State Board of
30 Medical Examiners for discipline pursuant to Code Section 43-34-37.

31 (2) In the event that a physician authorized pursuant to paragraph (1) of this subsection
32 to complete a medical certification as to the cause and circumstances of death has not
33 completed such certification 30 days after the death, a coroner shall be authorized to
34 complete and sign the certification; provided, however, that he or she has reviewed the
35 medical history of the case and determines that the death is due to natural causes. A
36 coroner signing a certification pursuant to this paragraph shall retain the authority granted
37 pursuant to Code Section 45-16-27 to issue subpoenas to compel the production of
38 medical records, provided that such records are related to the death in question."

39 **SECTION 2.**

40 All laws and parts of laws in conflict with this Act are repealed.