

The Senate Health and Human Services Committee offered the following substitute to HB 64:

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:

SECTION 1.

8 Code Section 31-10-15 of the Official Code of Georgia Annotated, relating to death
9 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. Such director or person shall obtain
13 the personal data from the next of kin or the best qualified person or source available and
14 shall obtain the medical certification from the person responsible therefor.

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

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

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

38 (2) In any area in this state which is in a state of emergency as declared by the Governor
39 due to an influenza pandemic, in addition to any other person authorized by law to
40 complete and sign a death certificate, any registered professional nurse employed by a
41 long-term care facility, advanced practice nurse, physician's assistant, registered nurse
42 employed by a home health agency, or nursing supervisor employed by a hospital shall
43 be authorized to complete and sign the death certificate, provided that such person has
44 access to the medical history of the case, such person views the deceased at or after death,
45 the death is due to natural causes, and an inquiry is not required under Article 2 of
46 Chapter 16 of Title 45, the 'Georgia Death Investigation Act.' In such a state of
47 emergency, the death certificate shall be filed by the funeral director in accordance with
48 subsection (b) of this Code section; or, if the certificate is not completed and signed by
49 an appropriate physician or coroner, the public health director of preparedness shall cause
50 the death certificate to be completed, signed, and filed by some other authorized person
51 within ten days after death."

52

SECTION 2.

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