

26-2-13 Certificate of death -- Execution and registration requirements.

- (1)
 - (a) A certificate of death for each death that occurs in this state shall be filed with the local registrar of the district in which the death occurs, or as otherwise directed by the state registrar, within five days after death and prior to the decedent's interment, any other disposal, or removal from the registration district where the death occurred.
 - (b) A certificate of death shall be registered if the certificate of death is completed and filed in accordance with this chapter.
- (2)
 - (a) If the place of death is unknown but the dead body is found in this state:
 - (i) the certificate of death shall be completed and filed in accordance with this section; and
 - (ii) the place where the dead body is found shall be shown as the place of death.
 - (b) If the date of death is unknown, the date shall be determined by approximation.
- (3)
 - (a) When death occurs in a moving conveyance in the United States and the decedent is first removed from the conveyance in this state:
 - (i) the certificate of death shall be filed with:
 - (A) the local registrar of the district where the decedent is removed; or
 - (B) a person designated by the state registrar; and
 - (ii) the place where the decedent is removed shall be considered the place of death.
 - (b) When a death occurs on a moving conveyance outside the United States and the decedent is first removed from the conveyance in this state:
 - (i) the certificate of death shall be filed with:
 - (A) the local registrar of the district where the decedent is removed; or
 - (B) a person designated by the state registrar; and
 - (ii) the certificate of death shall show the actual place of death to the extent it can be determined.
- (4)
 - (a) Subject to Subsections (4)(d) and (10), a custodial funeral service director or, if a funeral service director is not retained, a dispositioner shall sign the certificate of death.
 - (b) The custodial funeral service director, an agent of the custodial funeral service director, or, if a funeral service director is not retained, a dispositioner shall:
 - (i) file the certificate of death prior to any disposition of a dead body or fetus; and
 - (ii) obtain the decedent's personal data from the next of kin or the best qualified person or source available, including the decedent's Social Security number, if known.
 - (c) The certificate of death may not include the decedent's Social Security number.
 - (d) A dispositioner may not sign a certificate of death, unless the signature is witnessed by the state registrar or a local registrar.
- (5)
 - (a) Except as provided in Section 26-2-14, fetal death certificates, the medical section of the certificate of death shall be completed, signed, and returned to the funeral service director, or, if a funeral service director is not retained, a dispositioner, within 72 hours after death by the health care professional who was in charge of the decedent's care for the illness or condition which resulted in death, except when inquiry is required by Title 26, Chapter 4, Utah Medical Examiner Act.
 - (b) In the absence of the health care professional or with the health care professional's approval, the certificate of death may be completed and signed by an associate physician, the chief

medical officer of the institution in which death occurred, or a physician who performed an autopsy upon the decedent, if:

- (i) the person has access to the medical history of the case;
 - (ii) the person views the decedent at or after death; and
 - (iii) the death is not due to causes required to be investigated by the medical examiner.
- (6) When death occurs more than 30 days after the decedent was last treated by a health care professional, the case shall be referred to the medical examiner for investigation to determine and certify the cause, date, and place of death.
- (7) When inquiry is required by Title 26, Chapter 4, Utah Medical Examiner Act, the medical examiner shall make an investigation and complete and sign the medical section of the certificate of death within 72 hours after taking charge of the case.
- (8) If the cause of death cannot be determined within 72 hours after death:
- (a) the medical section of the certificate of death shall be completed as provided by department rule;
 - (b) the attending health care professional or medical examiner shall give the funeral service director, or, if a funeral service director is not retained, a dispositioner, notice of the reason for the delay; and
 - (c) final disposition of the decedent may not be made until authorized by the attending health care professional or medical examiner.
- (9)
- (a) When a death is presumed to have occurred within this state but the dead body cannot be located, a certificate of death may be prepared by the state registrar upon receipt of an order of a Utah district court.
 - (b) The order described in Subsection (9)(a) shall include a finding of fact stating the name of the decedent, the date of death, and the place of death.
 - (c) A certificate of death prepared under Subsection (9)(a) shall:
 - (i) show the date of registration; and
 - (ii) identify the court and the date of the order.
- (10) It is unlawful for a dispositioner to charge for or accept any remuneration for:
- (a) signing a certificate of death; or
 - (b) performing any other duty of a dispositioner, as described in this section.

Amended by Chapter 66, 2009 General Session

Amended by Chapter 68, 2009 General Session