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**DEATH CERTIFICATE AMENDMENTS**

2024 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Raymond P. Ward**

Senate Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill modifies provisions related to death certificates.

**Highlighted Provisions:**

This bill:

▶ allows a health care professional to indicate on a death certificate that an immediate cause of death is unknown ~~H→ [under certain circumstances]~~ if the immediate cause of death is unknown ←H ;

▶ modifies the deadline for a health care professional to complete the medical section of a death certificate;

▶ requires the Department of Health and Human Services (department) to provide instructions related to when a health care professional can indicate an immediate cause of death is unknown on a death certificate; ~~H→~~ and ←H

~~H→ [→ allows the department to modify an immediate cause of death that is listed as unknown on a death certificate; and] ←H~~

▶ makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:



59 a funeral service director is not retained, a dispositioner shall sign the certificate of death.

60 (b) The custodial funeral service director, an agent of the custodial funeral service  
61 director, or, if a funeral service director is not retained, a dispositioner shall:

62 (i) file the certificate of death prior to any disposition of a dead body or fetus; and

63 (ii) obtain the decedent's personal data from the next of kin or the best qualified person  
64 or source available, including the decedent's social security number, if known.

65 (c) The certificate of death may not include the decedent's social security number.

66 (d) A dispositioner may not sign a certificate of death, unless the signature is witnessed  
67 by the state registrar or a local registrar.

68 (5) (a) ~~[Except as provided in Section 26B-8-115, fetal death certificates, the medical  
69 section of the certificate of death shall be completed, signed, and returned to the funeral service  
70 director, or, if a funeral service director is not retained, a dispositioner, within 72 hours after  
71 death by the health care professional who was in charge of the decedent's care for the illness or  
72 condition which resulted in death, except when inquiry is required by Part 2, Utah Medical~~

73 ~~Examiner.]~~ Except as provided in Section 26B-8-115 or when inquiry is required by Part 2,

74 Utah Medical Examiner, a health care professional who was in charge of the decedent's care for

75 the illness or condition which resulted in death shall complete, sign, and return the medical

76 section of the certificate of death within ~~five~~ **three** ~~three~~ business days from the day on which

76a the death

77 occurred to:

78 (i) the funeral service director; or

79 (ii) if a funeral service director is not retained, a dispositioner.

80 (b) In the absence of the health care professional or with the health care professional's  
81 approval, the certificate of death may be completed and signed by an associate physician, the  
82 chief medical officer of the institution in which death occurred, or a physician who performed  
83 an autopsy upon the decedent, if:

84 (i) the person has access to the medical history of the case;

85 (ii) the person views the decedent at or after death; and

86 (iii) the death is not due to causes required to be investigated by the medical examiner.

87 (c) When completing the immediate cause of death section of a certificate of death, a

88 health care professional may indicate that the immediate cause of death is unknown ~~if:~~ **[if:**

89 ~~(i) the decedent died in a setting that did not have direct medical monitoring available;~~

90 **and**

91 ~~—— (ii) the health care professional determines that the health care professional cannot~~  
92 ~~easily ascertain the cause of death.] if the immediate cause of death is unknown. ←H~~

93 (d) The department shall create instructions for completing a certificate of death that  
94 inform a health care professional that the health care professional may indicate that the  
95 immediate cause of death is unknown in accordance with Subsection (5)(c).

96 ~~H→ [(e) The department may modify a response of unknown that is listed as an immediate~~  
97 ~~cause of death on a certificate of death with an equivalent diagnosis code, including natural~~  
98 ~~causes not otherwise specified.] ←H~~

99 (6) When death occurs more than 365 days after the day on which the decedent was last  
100 treated by a health care professional, the case shall be referred to the medical examiner for  
101 investigation to determine and certify the cause, date, and place of death.

102 (7) When inquiry is required by Part 2, Utah Medical Examiner, the medical examiner  
103 shall make an investigation and complete and sign the medical section of the certificate of  
104 death within 72 hours after taking charge of the case.

105 (8) If the cause of death cannot be determined within 72 hours after death:

106 (a) the medical section of the certificate of death shall be completed as provided by  
107 department rule;

108 (b) the attending health care professional or medical examiner shall give the funeral  
109 service director, or, if a funeral service director is not retained, a dispositioner, notice of the  
110 reason for the delay; and

111 (c) final disposition of the decedent may not be made until authorized by the attending  
112 health care professional or medical examiner.

113 (9) (a) When a death is presumed to have occurred within this state but the dead body  
114 cannot be located, a certificate of death may be prepared by the state registrar upon receipt of  
115 an order of a Utah court.

116 (b) The order described in Subsection (9)(a) shall include a finding of fact stating the  
117 name of the decedent, the date of death, and the place of death.

118 (c) A certificate of death prepared under Subsection (9)(a) shall:

119 (i) show the date of registration; and

120 (ii) identify the court and the date of the order.