Washington State
House of Representatives
Office of Program Research

BILL ANALYSIS

Health Care & Wellness Committee

SB 5370

Brief Description: Allowing electronic approval of vital records.

Sponsors: Senators Franklin, Becker, Fairley, Keiser, Marr and Murray; by request of Department of Health.

Brief Summary of Bill

- Allows the electronic approval of certain documents related to deceased persons.

Hearing Date: 3/12/09

Staff: Jim Morishima (786-7191)

Background:

Death Certificates.

When a person dies, a death certificate must be issued. A funeral director, or other person with the right to dispose of human remains, is required to enter personal data on the death certificate and then send it to the physician, physician's assistant, or advanced registered nurse practitioner last in attendance over the deceased, who must then certify the cause of the death and sign the death certificate. If the person died without medical attendance, then the health officer, coroner, or prosecuting attorney with jurisdiction must certify the cause of death and sign the death certificate.

Permits for the Burial, Disinterment, or Removal of Human Remains.

No person may dispose of, disinter, remove, or hold for more than three days after death human remains, unless he or she has a permit. A permit is not required for an embalmer or funeral director if the embalmer or funeral director has a certificate of removal registration issued by the Department of Licensing. If the embalmer or funeral director moves human remains from one district to another, he or she must send notice of the removal to the registrar of the district in

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which the death occurred. Such a removal notice must be signed by the embalmer or funeral director.

Burial-Transit Permits.

No person in charge of any premises in which the bodies of deceased persons are permanently disposed may dispose of human remains without a burial-transit permit. The burial-transit permit must be signed by the local registrar and the person in charge of disposing of the remains.

Medical Examiners.

A county with a population of over 250,000 may appoint a medical examiner to replace the elected office of coroner. To be a medical examiner, a person must be either certified as forensic pathologist by the American Board of Pathology or a qualified physician eligible to take the American Board of Pathology exam within one year of being appointed.

Electronic Signatures.

The Electronic Death Registration System (EDRS) is a web-based system developed by the Department of Health (DOH). Funeral directors and persons authorized to certify cause of death may use the EDRS to electronically file death records. In order to use the system, a person must obtain a digital certificate, which allows the system to verify the person's identity.

Summary of Bill:

Death Certificates.

Persons authorized to certify cause of death may electronically approve of a death certificate.

Permits for the Burial, Disinterment, or Removal of Human Remains.

An embalmer or a funeral director may electronically approve a removal notice.

Burial-Transit Permits.

A local registrar and a person in charge of disposing of human remains may electronically approve a burial-transit permit.

Medical Examiners.

Medical examiners are explicitly granted the same authority as coroners in statutes dealing with death certificates.

Electronic Approval.

For purposes of death records, "electronic approval" or "electronically approve" means approving the content of an electronically filed vital record through processes provided by the

DOH. The electronic approval process must be consistent with policies, standards, and procedures developed by the Information Services Board.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.