

HOUSE BILL REPORT

ESHB 1799

As Passed House:
March 4, 2019

Title: An act relating to developing a short form for death certificates.

Brief Description: Developing a short form for death certificates.

Sponsors: House Committee on Health Care & Wellness (originally sponsored by Representatives Hoff, Wylie, Corry, Sutherland, Vick, Paul, Smith and Goodman).

Brief History:

Committee Activity:

Health Care & Wellness: 2/20/19, 2/22/19 [DPS].

Floor Activity:

Passed House: 3/4/19, 96-0.

Brief Summary of Engrossed Substitute Bill

- Allows state and local registrars to issue a short form death certificate that does not include Social Security numbers, names of the decedent's parents, or information about the cause and manner of death.

HOUSE COMMITTEE ON HEALTH CARE & WELLNESS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 15 members: Representatives Cody, Chair; Macri, Vice Chair; Schmick, Ranking Minority Member; Caldier, Assistant Ranking Minority Member; Chambers, Davis, DeBolt, Harris, Jinkins, Maycumber, Riccelli, Robinson, Stonier, Thai and Tharinger.

Staff: Chris Blake (786-7392).

Background:

The Department of Health (Department) operates a state vital records system for registering births, deaths, fetal deaths, marriages, divorce decrees, annulments, and separations. The vital records system must collect items recommended for collection by the federal government. Death certificates must include identifying information about the deceased

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person, the time and place of death, the circumstances and cause of death, and information about the person certifying the death. The Department and local registrars may issue certified copies of death certificates for deaths that occurred in Washington.

Summary of Engrossed Substitute Bill:

The state or local registrars may issue a short form death certificate that does not display Social Security numbers, names of the decedent's parents, or information about the cause and manner of death. A short form death certificate may be requested by:

- specified family members, guardians, and representatives;
- funeral directors, funeral establishments, and people with the right to control the disposition of the human remains;
- a title insurer or title insurance agent handling a transaction involving real property in which the decedent held a right, title, or interest; and
- a person who demonstrates that the certified copy is necessary for a determination related to the death or the protection of a personal or property right related to the death.

Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony:

(In support) Death certificates are frequently filed with government agencies and it is striking to see how much personal information is being put into the public domain for no apparent reason. This bill prohibits the disclosure of some of the information that bad actors distribute, like Social Security numbers, cause of death, and parents' names. The amount of information being disclosed through death certificate filings raises privacy concerns, as well as identity theft and identity fraud issues. Most of the time an agency is just looking for the fact of death and nothing else. There is a growing desire from the public to keep their private information private. This bill does not do away with the full death certificate, but simply offers an alternative for when the other information is not necessary. This is a great bill that passed unanimously last year.

(Opposed) None.

(Other) The Department of Health has request legislation to overhaul the vital records system that includes the creation of a short form death certificate which has been extensively reviewed by stakeholders who intend to use it. The short form death certificate should not include the manner of death. Government agencies and other end users of the short form death certificate such as county auditors, title companies, and banks depend on Social Security numbers or decedents' parents' names to match the death certificates to their records and should be included on the short form death certificate. The rulemaking process should be used to define the elements on the short form death certificate.

Persons Testifying: (In support) Representative Hoff, prime sponsor; and Greg Gilday.

(Other) Jean Remsbecker, Department of Health.

Persons Signed In To Testify But Not Testifying: None.