

No. 2017-17

AN ACT

HB 424

Amending the act of June 29, 1953 (P.L.304, No.66), entitled "An act providing for the administration of a statewide system of vital statistics; prescribing the functions of the State Department of Health, the State Advisory Health Board and local registrars; imposing duties upon coroners, prothonotaries, clerks of orphans' court, physicians, midwives and other persons; requiring reports and certificates for the registration of vital statistics; regulating the disposition of dead bodies; limiting the disclosure of records; prescribing the sufficiency of vital statistics records as evidence; prescribing fees and penalties; and revising and consolidating the laws relating thereto," in death and fetal death registration, further providing for information for certificates and for coroner referrals.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Sections 502 and 503 of the act of June 29, 1953 (P.L.304, No.66), known as the Vital Statistics Law of 1953, are amended to read:

Section 502. Death and Fetal Death Registration: Information for Certificates.—In preparing a certificate of death or fetal death, the person in charge of interment or of removal of a dead body or fetal remains from the registration district shall obtain the required information. The following persons shall supply the information certified by their respective signatures:

(1) Personal information concerning the deceased or the fetal death shall be supplied by the person best acquainted with the facts.

(2) Subject to the limitation contained in clause (3), the medical certification, except in the event of a referral to the coroner pursuant to section five hundred three of this act, shall be supplied (i) in the case of a death, by the physician [or], certified registered nurse practitioner *or physician assistant* or (ii) dentist who is a staff member of an approved hospital who attended the deceased during the last illness, provided the death occurs in the hospital and the deceased had been admitted on the dental service, and (iii) in the case of a fetal death, by the attending physician [or], certified registered nurse practitioner *or physician assistant*.

(3) In all cases where the physician, certified registered nurse practitioner [or], *physician assistant or* dentist who would otherwise supply the medical certification is a member of the immediate family of the deceased, the case shall be referred to another physician, certified registered nurse practitioner [or], *physician assistant or* dentist who qualifies under clause (2) for a medical certification. In the event a qualified alternate physician, certified registered nurse practitioner [or], *physician assistant or* dentist is unavailable or unwilling to provide the medical certification required by law, the case shall be referred to the coroner of the county wherein the death occurred or to a coroner of an adjacent county. In no event shall a coroner sign a certificate of death or fetal death for a deceased who was a member of his immediate family.

Section 503. Death and Fetal Death Registration: Coroner Referrals.— The local registrar or person in charge of interment or other person having knowledge of the death or fetal death shall refer to the coroner the following cases: (1) where no physician, certified registered nurse practitioner **[or], physician assistant or** dentist who is a staff member of an approved hospital was in attendance during the last illness of the deceased or in the case of a fetal death where there was no attending physician **[or], certified registered nurse practitioner or physician assistant** or (2) where the physician, certified registered nurse practitioner **[or], physician assistant or** dentist who is a staff member of an approved hospital in attendance during the last illness of the deceased or the attending physician **[or], certified registered nurse practitioner or physician assistant** in the case of a fetal death is physically unable to supply the necessary data, or (3) where the circumstances suggest that the death was sudden or violent or suspicious in nature or was the result of other than natural causes, or (4) where the physician, certified registered nurse practitioner, **physician assistant,** dentist or coroner who provided or would provide the medical certification is a member of the immediate family of the deceased. In every instance of a referral under this section, the coroner shall make an immediate investigation and shall supply the necessary data, including the medical certification of the death or fetal death. In no event shall a coroner sign a certificate of death or fetal death for a deceased who was a member of his immediate family.

Section 2. This act shall take effect in 60 days.

APPROVED—The 7th day of July, A.D. 2017

TOM WOLF