

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2263 Session of  
2010

INTRODUCED BY BISHOP, HARKINS, SIPTROTH, KOTIK, THOMAS,  
BELFANTI, GINGRICH, JOHNSON AND BROWN, OCTOBER 4, 2010

REFERRED TO COMMITTEE ON HEALTH AND HUMAN SERVICES, OCTOBER 4,  
2010

AN ACT

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

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

16 Section 1. Section 501 of the act of June 29, 1953 (P.L.304,  
17 No.66), known as the Vital Statistics Law of 1953, amended July  
18 2, 2009 (P.L.52, No.11), is amended to read:

19 Section 501. Death and Fetal Death Registration:

20 Certificates to be Filed.--A certificate of each death or fetal  
21 death which occurs in this Commonwealth shall be completed in  
22 accordance with section five hundred two, section five hundred  
23 three or section five hundred seven of this act and filed within

1 [ninety-six (96)] thirty-six (36) hours after the death or fetal  
2 death or within [ninety-six (96)] thirty-six (36) hours after  
3 the finding of a dead body or fetal remains. In every instance,  
4 the certificate shall be filed prior to the issuance of a permit  
5 for interment or other disposition of the dead body or fetal  
6 remains. The person in charge of interment or of removal of the  
7 dead body or fetal remains from the registration district shall  
8 file the certificate with any local registrar or the State  
9 Registrar of Vital Statistics, who shall be authorized to issue  
10 certified copies of such death.

11 Section 2. Sections 502 and 503 of the act, amended December  
12 20, 1991 (P.L.399, No.46), are amended to read:

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

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

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

1 death, by the attending physician. The certificate shall be  
2 completed in black ink and as otherwise directed on forms  
3 provided by the Department of Health to hospitals for easy  
4 availability to medical personnel for this purpose.

5 (3) In all cases where the physician or dentist who would  
6 otherwise supply the medical certification is a member of the  
7 immediate family of the deceased, the case shall be referred to  
8 another physician or dentist who qualifies under clause (2) for  
9 a medical certification. In the event a qualified alternate  
10 physician or dentist is unavailable or unwilling to provide the  
11 medical certification required by law, the case shall be  
12 referred to the coroner of the county wherein the death occurred  
13 or to a coroner of an adjacent county. In no event shall a  
14 coroner sign a certificate of death or fetal death for a  
15 deceased who was a member of his immediate family.

16 Section 503. Death and Fetal Death Registration: Coroner  
17 Referrals.--The local registrar or person in charge of interment  
18 or other person having knowledge of [the] a death or fetal death  
19 shall, within four (4) business hours of gaining such knowledge,  
20 refer to the coroner the following cases: (1) where no physician  
21 or dentist who is a staff member of an approved hospital was in  
22 attendance during the last illness of the deceased or in the  
23 case of a fetal death where there was no attending physician, or  
24 (2) where the physician or dentist who is a staff member of an  
25 approved hospital in attendance during the last illness of the  
26 deceased or the attending physician in the case of a fetal death  
27 is physically unable to supply the necessary data, or (3) where  
28 the circumstances suggest that the death was sudden or violent  
29 or suspicious in nature or was the result of other than natural  
30 causes, or (4) where the physician, dentist or coroner who

1 provided or would provide the medical certification is a member  
2 of the immediate family of the deceased. In every instance of a  
3 referral under this section, the coroner shall make an immediate  
4 investigation and shall supply the necessary data, including the  
5 medical certification of the death or fetal death. In no event  
6 shall a coroner sign a certificate of death or fetal death for a  
7 deceased who was a member of his immediate family.

8       Section 3. This act shall take effect in 60 days.