

SENATE COMMITTEE OF REFERENCE REPORT

Chair of Committee

March 28, 2023
Date

Committee on Finance.

After consideration on the merits, the Committee recommends the following:

SB23-020 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend the Health and Human Services Committee Report, dated March
2 16, 2023, page 1, line 1, strike ""(1)(b)(III) and"" and substitute
3 ""(1)(b)(III), (4.5), and"".

4 Amend printed bill, page 2, line 3, after "**add**" insert "(3)(a.5) and".

5 Page 1 of the report, line 15, strike "ANY" and substitute "EXCEPT AS
6 OTHERWISE PROVIDED IN SUBSECTION (4.5) OF THIS SECTION, ANY".

7 Page 3 of the bill, line 10, after "CERTIFICATION" insert "FOR THE DEATH
8 CERTIFICATE".

9 Page 3 of the bill, after line 16 insert:

10 "(a.5) (I) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION
11 (3)(a.5)(II) OF THIS SECTION, IF A DECEDENT HAD AN ESTABLISHED
12 PRIMARY CARE PHYSICIAN, THE PRIMARY CARE PHYSICIAN IS RESPONSIBLE
13 FOR COMPLETING THE MEDICAL CERTIFICATION FOR THE DEATH
14 CERTIFICATE IN ACCORDANCE WITH SUBSECTION (4) OF THIS SECTION IF:

15 (A) THE DEATH APPEARS TO BE DUE TO NATURAL CAUSES AND
16 DETERMINED AS SUCH WITH A REASONABLE DEGREE OF MEDICAL
17 CERTAINTY;

18 (B) THE DECEDENT RECEIVED MEDICAL CARE FROM THE PRIMARY
19 CARE PHYSICIAN WITHIN A YEAR OF THE DEATH;

20 (C) THE DEATH OCCURRED WHEN THE DECEDENT WAS NOT UNDER
21 THE DIRECT CARE OF ANOTHER PHYSICIAN CHARGED WITH THE PATIENT'S
22 CARE DURING THE ILLNESS OR CONDITION THAT RESULTED IN DEATH; AND

23 (D) AN INQUIRY IS NOT REQUIRED BY SECTION 30-10-606.

24 (II) IF, WITHIN A YEAR OF THE DEATH, THE DECEDENT HAD BEEN

1 TREATED BY A PHYSICIAN OTHER THAN THE DECEDENT'S ESTABLISHED
2 PRIMARY CARE PHYSICIAN FOR A CHRONIC CONDITION OR TERMINAL
3 ILLNESS RELATED TO THE DECEDENT'S DEATH AND THE CONDITIONS SET
4 FORTH IN SUBSECTIONS (3)(a.5)(I)(A) AND (3)(a.5)(I)(D) OF THIS SECTION
5 ARE MET, THAT PHYSICIAN IS RESPONSIBLE FOR COMPLETING THE MEDICAL
6 CERTIFICATION FOR THE DEATH CERTIFICATE IN ACCORDANCE WITH
7 SUBSECTION (4) OF THIS SECTION."

8 Page 3 of the bill, strike lines 19 and 20 and substitute "that resulted in
9 death shall complete sign, and return to the funeral director or person
10 acting as such all THE medical certification FOR THE DEATH CERTIFICATE
11 within".

12 Page 2 of the report, line 5, strike "REQUEST.". and substitute "REQUEST
13 OR, BEFORE MARCH 1, 2024, FOR A PHYSICIAN WHO IS NOT YET
14 REGISTERED TO USE AND USING THE ELECTRONIC DEATH REGISTRATION
15 SYSTEM USED BY THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT
16 AND THE STATE REGISTRAR PURSUANT TO SUBSECTION (1)(b)(I) OF THIS
17 SECTION, SEVENTY-TWO HOURS AFTER RECEIVING NOTICE THAT A
18 MEDICAL CERTIFICATION FOR A DEATH CERTIFICATE MUST BE
19 COMPLETED."

20 Page 2 of the report, lines 7 and 8, strike "COMPLETE, SIGN, AND RETURN"
21 and substitute "COMPLETE A MEDICAL CERTIFICATION FOR".

22 Page 2 of the report, line 12, strike ""THE" and substitute ""EXCEPT AS
23 OTHERWISE PROVIDED IN SUBSECTION (4.5) OF THIS SECTION, THE".

24 Page 2 of the report, line 14, after "CERTIFICATION" insert "FOR A DEATH
25 CERTIFICATE".

26 Page 2 of the report, after line 17 insert:

27 "Page 4 of the bill, after line 4 insert:

28 "(4.5) THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT
29 SHALL ENSURE THAT ALL PHYSICIANS ARE REGISTERED TO USE THE
30 ELECTRONIC DEATH REGISTRATION SYSTEM CREATED AND USED PURSUANT
31 TO SUBSECTION (1)(b)(I) OF THIS SECTION ON OR BEFORE MARCH 1, 2024.
32 A PHYSICIAN SHALL USE THE SYSTEM FOR ALL MEDICAL CERTIFICATIONS
33 FOR DEATH CERTIFICATES REQUIRED BY SUBSECTION (4) OF THIS SECTION
34 IMMEDIATELY UPON BEING REGISTERED BUT IS NOT REQUIRED TO DO SO
35 BEFORE BEING REGISTERED."."

36 Page 2 of the report, line 21, strike ""A" and substitute ""EXCEPT AS

- 1 OTHERWISE PROVIDED IN SUBSECTION (4.5) OF THIS SECTION, A".
- 2 Page 2 of the report, line 24, after "CERTIFICATION" insert "FOR A DEATH
- 3 CERTIFICATE".
- 4 Page 4 of the bill, line 20, strike "OF" and substitute "FOR".

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