

CHAPTER 85

HEALTH AND ENVIRONMENT

HOUSE BILL 11-1183

BY REPRESENTATIVE(S) Bradford, Kerr J., Murray, Nikkel, Stephens, Summers, Barker;
also SENATOR(S) Spence, Boyd, Brophy, Cadman, Grantham, Guzman, King K., King S., Kopp, Lambert, Lundberg, Mitchell,
Newell, Renfro, Scheffel, White.

AN ACT

CONCERNING A REQUIREMENT THAT A DEATH CERTIFICATE INDICATE WHETHER THE DECEDENT WAS PREGNANT WITHIN THE TWELVE MONTHS PRECEDING DEATH.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. 25-2-110 (4), (5), (6), and (9), Colorado Revised Statutes, are amended to read:

25-2-110. Certificates of death. (4) Except when inquiry is required by section 30-10-606, C.R.S., the physician in charge of the patient's care for the illness or condition ~~which~~ THAT resulted in death shall complete, sign, and return to the funeral director or person acting as such all medical certification within forty-eight hours after a death occurs. In the absence of said physician or with his OR HER approval, the certificate may be completed and signed by his OR HER associate physician, by the chief medical officer of the institution in which the death occurred, or by the physician who performed an autopsy upon the decedent, if such individual has access to the medical history of the case, if he OR SHE views the ~~deceased~~ DECEDENT at or after the time of death, and if the death is due to natural causes. IF AN AUTOPSY IS PERFORMED, THE CERTIFICATION SHALL INDICATE WHETHER THE DECEDENT WAS PREGNANT AT THE TIME OF DEATH AND SAID INFORMATION SHALL BE REPORTED ON THE DEATH CERTIFICATE AS REQUIRED BY SUBSECTION (9) OF THIS SECTION.

(5) When inquiry is required by section 30-10-606, C.R.S., the coroner shall determine the cause of death and shall complete and sign the medical certification within forty-eight hours after taking charge of the case. IF AN AUTOPSY IS PERFORMED, THE CERTIFICATION SHALL INDICATE WHETHER THE DECEDENT WAS PREGNANT AT THE TIME OF DEATH, AND SAID INFORMATION SHALL BE REPORTED ON

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

THE DEATH CERTIFICATE AS REQUIRED BY SUBSECTION (9) OF THIS SECTION.

(6) If the cause of death cannot be determined within forty-eight hours after a death, the medical certification shall be completed as provided by ~~regulation~~ RULE. IF AN AUTOPSY IS PERFORMED, THE CERTIFICATION SHALL INDICATE WHETHER THE DECEDENT WAS PREGNANT AT THE TIME OF DEATH AND SAID INFORMATION SHALL BE REPORTED ON THE DEATH CERTIFICATE AS REQUIRED BY SUBSECTION (9) OF THIS SECTION. The attending physician or coroner shall give the funeral director or person acting as such notice of the reason for the delay, and final disposition of the body shall not be made until authorized by the office designated or established pursuant to section 25-2-103 in the county where the death occurred or, if such an office does not exist in the county where the death occurred, final disposition of the body shall not be made until authorized by the coroner or the coroner's designee.

(9) (a) ~~If a death is determined to be a homicide,~~ IF AN AUTOPSY IS PERFORMED, a certificate of death shall identify whether the ~~deceased~~ DECEDENT was pregnant at the time of death.

(b) THE REQUIREMENT IN THIS SUBSECTION (9) AND SUBSECTIONS (4), (5), AND (6) OF THIS SECTION TO INDICATE WHETHER THE DECEDENT WAS PREGNANT AT THE TIME OF DEATH SHALL BE COMPLIED WITH WHEN THE PERSON REQUIRED TO MAKE THE DESIGNATION HAS ACCESS TO THE CERTIFICATION FORM THAT PERMITS COMPLIANCE.

SECTION 2. Act subject to petition - effective date. This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 10, 2011, if adjournment sine die is on May 11, 2011); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part shall not take effect unless approved by the people at the general election to be held in November 2012 and shall take effect on the date of the official declaration of the vote thereon by the governor.

Approved: March 31, 2011