

**Department of Legislative Services**  
Maryland General Assembly  
2019 Session

**FISCAL AND POLICY NOTE**  
**Third Reader**

House Bill 1400

(Delegate Cardin)

Health and Government Operations

Finance

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**Public Health - Death Certificates - Completion and Cause of Death Report**

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This bill authorizes a physician designated by the State Anatomy Board to complete a death certificate under specified circumstances. If a physician designated by the board completes a death certificate, the physician must enter “unspecified natural causes” as the cause of death; the board must send a specified report to the Secretary of Health if the board receives additional information about the cause of death from specified individuals.

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**Fiscal Summary**

**State Effect:** Although the bill may result in administrative efficiencies for the board, the bill is not expected to materially affect State finances. The Division of Vital Records within the Maryland Department of Health can make any necessary changes to death certificates with existing budgeted staff and resources.

**Local Effect:** None.

**Small Business Effect:** None.

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**Analysis**

**Bill Summary/Current Law:** Generally, a death certificate must be completed by either the medical examiner, if the medical examiner takes charge of the body, or the physician, physician assistant, or nurse practitioner who last attended the deceased. The medical examiner, physician, physician assistant, or nurse practitioner must only fill in (1) the decedent’s name; (2) the cause of death and medical certification; (3) the date and hour of death; and (4) the place where death occurred. Any other information that is required on

the certificate must be filled in by the person who has charge of the body or the person who last had charge of the body before the body was sent to the board.

However, if the attending physician, physician assistant, or nurse practitioner is unavailable or unable to complete the death certificate or with the approval of the attending physician, physician assistant, or nurse practitioner, the attending physician's associate, the chief medical officer or designee of the institution where the death occurred, or the physician who performed the decedent's autopsy (if the physician has specified information about the cause of death) may complete the death certificate.

Under the bill, if the attending physician, physician assistant, or nurse practitioner is unavailable and the board has failed after a good faith effort to make contact with such individuals within 72 hours of taking charge of the body, the death certificate can be completed by a physician designated by the board. If a physician designated by the board completes a death certificate, (1) the physician must enter "unspecified natural causes" in the cause of death section of the death certificate and (2) the board must send the Secretary of Health a report of the cause of death if the board receives additional information about the individual's cause of death from the medical examiner or the attending physician, physician assistant, or nurse practitioner.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** SB 1012 (Senator Feldman) - Finance.

**Information Source(s):** Maryland Department of Health; Department of Legislative Services

**Fiscal Note History:** First Reader - March 13, 2019  
md/jc Third Reader - March 19, 2019

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