

FIRST REGULAR SESSION

[PERFECTED]

HOUSE COMMITTEE SUBSTITUTE FOR

# HOUSE BILL NO. 447

100TH GENERAL ASSEMBLY

0489H.02P

DANA RADEMAN MILLER, Chief Clerk

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## AN ACT

To repeal sections 58.095, 58.451, 58.720, 193.145, and 193.265, RSMo, and to enact in lieu thereof seven new sections relating to coroners.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Sections 58.095, 58.451, 58.720, 193.145, and 193.265, RSMo, are repealed  
2 and seven new sections enacted in lieu thereof, to be known as sections 58.035, 58.095, 58.208,  
3 58.451, 58.720, 193.145, and 193.265, to read as follows:

**58.035. 1. There is hereby established within the department of health and senior  
2 services a "Coroner Standards and Training Commission", which shall be composed of  
3 eleven members, appointed by the governor, with the advice and consent of the senate. No  
4 more than two members of the coroner standards and training commission shall reside in  
5 the same congressional district as any other at the time of their appointments but this  
6 provision shall not apply to any state director. No two members of the commission shall  
7 be employees of the same county. Six members of the coroner standards and training  
8 commission shall be elected county coroners, two members shall be currently appointed  
9 medical examiners, one member shall be an elected county prosecutor, one member shall  
10 be the director of the department of public safety or his or her designee, and one member  
11 shall be the director of the department of health and senior services or his or her designee.  
12 Each member of the coroner standards and training commission shall have been at the  
13 time of his appointment a citizen of the United States and a resident of this state for a  
14 period of at least one year, and members who are coroners shall be qualified as established  
15 by chapter 58. No member of the commission, except the directors of state departments,**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16 serving a full term of three years may be reappointed to the coroner standards and training  
17 commission until at least one year after the expiration of his or her most recent term.

18       2. Three of the original members of the coroner standards and training commission  
19 shall be appointed for terms of one year, three of the original members shall be appointed  
20 for terms of two years, and three of the original members shall be appointed for terms of  
21 three years. Thereafter the terms of the members of the coroner standards and training  
22 commission, except the state department directors, shall be for three years or until their  
23 successors are appointed. The governor may remove any member of the coroner standards  
24 and training commission for misconduct or neglect of office. Any member of the coroner  
25 standards and training commission may be removed for cause by the governor but such  
26 member shall first be presented with a written statement of the reasons thereof, and shall  
27 have a hearing before the coroner standards and training commission if the member so  
28 requests.

29       3. Annually the commission shall elect one of the members as chairperson. The  
30 coroner standards and training commission shall meet at least twice each year as  
31 determined by the director of the department of health and senior services or his or her  
32 designee, the chairperson, or a majority of the members to perform its duties. A majority  
33 of the members of the coroner standards and training commission shall constitute a  
34 quorum.

35       4. No member of the coroner standards and training commission shall receive any  
36 compensation for the performance of his or her official duties.

37       5. The coroner standards and training commission shall establish training  
38 standards relating to the office of county coroner. These standards shall relate to the  
39 operation of the office, the legal responsibilities of the office, and the technical skills and  
40 knowledge required of the office. The commission shall establish the training standards  
41 by July 1, 2020. The Missouri Coroners' and Medical Examiners' Association shall begin  
42 providing such training by November 1, 2020.

43       6. Any rule or portion of a rule, as that term is defined in section 536.010, that is  
44 created under the authority delegated in this section shall become effective only if it  
45 complies with and is subject to all of the provisions of chapter 536 and, if applicable,  
46 section 536.028. This section and chapter 536 are nonseverable and if any of the powers  
47 vested with the general assembly pursuant to chapter 536 to review, to delay the effective  
48 date, or to disapprove and annul a rule are subsequently held unconstitutional, then the  
49 grant of rulemaking authority and any rule proposed or adopted after August 28, 2019,  
50 shall be invalid and void.

58.095. 1. The county coroner in any county, other than in a ~~[first classification chartered]~~ **charter** county, shall receive an annual salary computed on a basis as set forth in the following schedule. The provisions of this section shall not permit or require a reduction in the amount of compensation being paid for the office of coroner on January 1, 1997:

Assessed Valuation	Salary
\$ 18,000,000 to 40,999,999	\$ 8,000
41,000,000 to 53,999,999	8,500
54,000,000 to 65,999,999	9,000
66,000,000 to 85,999,999	9,500
86,000,000 to 99,999,999	10,000
100,000,000 to 130,999,999	11,000
131,000,000 to 159,999,999	12,000
160,000,000 to 189,999,999	13,000
190,000,000 to 249,999,999	14,000
250,000,000 to 299,999,999	15,000
300,000,000 or more	16,000

2. One thousand dollars of the salary authorized in this section shall be payable to the coroner only if the coroner has completed at least twenty hours of classroom instruction each calendar year ~~[relating to the operations of the coroner's office when approved by a professional association of the county coroners of Missouri]~~ **as established by the coroners standards and training commission** unless exempted from the training by the ~~[professional association]~~ **Missouri Coroners' and Medical Examiners' Association for good cause**. The ~~[professional association approving the program]~~ **Missouri Coroners' and Medical Examiners' Association** shall provide a certificate of completion to each coroner who completes the training program and shall send a list of certified coroners to the treasurer of each county **and the department of health and senior services**. **The coroner standards and training commission may certify training programs that satisfy the requirements of this section in lieu of the training provided by the Missouri Coroners' and Medical Examiners' Association. Certified training completion shall be submitted to the Missouri Coroners' and Medical Examiners' Association, which, upon validating the certified training, shall submit the individual's name to the county treasurer and department of health and senior services indicating the individual is compliant with the training requirements.** Expenses incurred for attending the training session may be reimbursed to the county coroner in the same manner as other expenses as may be appropriated for that purpose. All elected or appointed coroners, deputy coroners, and assistants to the coroner shall complete the annual training described in this subsection within six months of election or appointment.

37           3. The county coroner in any county, other than a ~~[first classification]~~ charter county,  
38 shall not, except upon two-thirds vote of all the members of the salary commission, receive an  
39 annual compensation in an amount less than the total compensation being received for the office  
40 of county coroner in the particular county for services rendered or performed on the date the  
41 salary commission votes.

42           4. For the term beginning in 1997, the compensation of the coroner, in counties in which  
43 the salary commission has not voted to pay one hundred percent of the maximum allowable  
44 salary, shall be a percentage of the maximum allowable salary established by this section. The  
45 percentage applied shall be the same percentage of the maximum allowable salary received or  
46 allowed, whichever is greater, to the presiding commissioner or sheriff, whichever is greater, of  
47 that county for the year beginning January 1, 1997. In those counties in which the salary  
48 commission has voted to pay one hundred percent of the maximum allowable salary, the  
49 compensation of the coroner shall be based on the maximum allowable salary in effect at each  
50 time a coroner's term of office commences following the vote to pay one hundred percent of the  
51 maximum allowable compensation. Subsequent compensation shall be determined as provided  
52 in section 50.333.

53           5. Effective January 1, 1997, the county coroner in any county, ~~[other than a county of~~  
54 ~~the first classification with a charter form of government]~~ **charter county**, may, upon the  
55 approval of the county commission, receive additional compensation for any month during which  
56 investigations or other services are performed for three or more decedents in the same incident  
57 during such month. The additional compensation shall be an amount that when added to the  
58 regular compensation the sum shall equal the monthly compensation of the county sheriff.

**58.208. 1. One dollar of the fee collected for any death certificate issued under**  
2 **section 193.265 shall be deposited into the Missouri state coroners' training fund**  
3 **established under subsection 2 of this section. Moneys in such fund shall be used by the**  
4 **Missouri Coroners' and Medical Examiners' Association:**

5           **(1) For in-state training, equipment, and necessary supplies; and**

6           **(2) To provide aid to training programs approved by the Missouri Coroners' and**  
7 **Medical Examiners' Association.**

8           **2. (1) There is hereby created in the state treasury the "Missouri State Coroners'**  
9 **Training Fund", which shall consist of moneys collected under subsection 1 of this section.**  
10 **The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and**  
11 **30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund**  
12 **and, upon appropriation, moneys in the fund shall be used solely for the administration of**  
13 **subsection 1 of this section.**

14           **(2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys**  
15 **remaining in the fund over the amount of five hundred thousand dollars shall revert to the**  
16 **credit of the general revenue fund.**

17           **(3) The state treasurer shall invest moneys in the fund in the same manner as other**  
18 **funds are invested. Any interest and moneys earned on such investments shall be credited**  
19 **to the fund.**

20           **3. Local registrars may, during states of emergency or disaster, request**  
21 **reimbursement from the fund for copies of death certificates issued to individuals who are**  
22 **unable to afford the associated fees.**

          58.451. 1. When any person, in any county in which a coroner is required by section  
2 58.010, dies and there is reasonable ground to believe that such person died as a result of:

3           (1) Violence by homicide, suicide, or accident;

4           (2) Criminal abortions, including those self-induced;

5           (3) Some unforeseen sudden occurrence and the deceased had not been attended by a  
6 physician during the thirty-six-hour period preceding the death;

7           (4) In any unusual or suspicious manner;

8           (5) Any injury or illness while in the custody of the law or while an inmate in a public  
9 institution[;]

10

11 the police, sheriff, law enforcement officer or official, or any person having knowledge of such  
12 a death shall immediately notify the coroner of the known facts concerning the time, place,  
13 manner and circumstances of the death. Immediately upon receipt of notification, the coroner  
14 or deputy coroner shall take charge of the dead body and fully investigate the essential facts  
15 concerning the medical causes of death, including whether by the act of man, and the manner of  
16 death. The coroner or deputy coroner may take the names and addresses of witnesses to the  
17 death and shall file this information in the coroner's office. The coroner or deputy coroner shall  
18 take possession of all property of value found on the body, making exact inventory of such  
19 property on the report and shall direct the return of such property to the person entitled to its  
20 custody or possession. The coroner or deputy coroner shall take possession of any object or  
21 article which, in the coroner's or the deputy coroner's opinion, may be useful in establishing the  
22 cause of death, and deliver it to the prosecuting attorney of the county.

23           2. When a death occurs outside a licensed health care facility, the first licensed medical  
24 professional or law enforcement official learning of such death shall immediately contact the  
25 county coroner. Immediately upon receipt of such notification, the coroner or the coroner's  
26 deputy shall make the determination if further investigation is necessary, based on information

27 provided by the individual contacting the coroner, and immediately advise such individual of the  
28 coroner's intentions.

29 **3. Notwithstanding the provisions of subsection 2 of this section, when a death**  
30 **occurs under the care of a hospice, no investigation shall be required if the death is**  
31 **certified by the treating physician of the deceased or the medical director of the hospice as**  
32 **a natural death due to disease or diagnosed illness. The hospice shall provide written**  
33 **notice to the coroner within twenty-four hours of the death.**

34 [~~3-~~] 4. Upon taking charge of the dead body and before moving the body the coroner  
35 shall notify the police department of any city in which the dead body is found, or if the dead body  
36 is found in the unincorporated area of a county governed by the provisions of sections 58.451  
37 to 58.457, the coroner shall notify the county sheriff or the highway patrol and cause the body  
38 to remain unmoved until the police department, sheriff or the highway patrol has inspected the  
39 body and the surrounding circumstances and carefully noted the appearance, the condition and  
40 position of the body and recorded every fact and circumstance tending to show the cause and  
41 manner of death, with the names and addresses of all known witnesses, and shall subscribe the  
42 same and make such record a part of the coroner's report.

43 [~~4-~~] 5. In any case of sudden, violent or suspicious death after which the body was buried  
44 without any investigation or autopsy, the coroner, upon being advised of such facts, may at the  
45 coroner's own discretion request that the prosecuting attorney apply for a court order requiring  
46 the body to be exhumed.

47 [~~5-~~] 6. The coroner may certify the cause of death in any case where death occurred  
48 without medical attendance or where an attending physician refuses to sign a certificate of death  
49 or when a physician is unavailable to sign a certificate of death.

50 [~~6-~~] 7. When the cause of death is established by the coroner, the coroner shall file a copy  
51 of the findings in the coroner's office within thirty days.

52 [~~7-~~] 8. If on view of the dead body and after personal inquiry into the cause and manner  
53 of death, the coroner determines that a further examination is necessary in the public interest, the  
54 coroner on the coroner's own authority may make or cause to be made an autopsy on the body.  
55 The coroner may on the coroner's own authority employ the services of a pathologist, chemist,  
56 or other expert to aid in the examination of the body or of substances supposed to have caused  
57 or contributed to death, and if the pathologist, chemist, or other expert is not already employed  
58 by the city or county for the discharge of such services, the pathologist, chemist, or other expert  
59 shall, upon written authorization of the coroner, be allowed reasonable compensation, payable  
60 by the city or county, in the manner provided in section 58.530. The coroner shall, at the time  
61 of the autopsy, record or cause to be recorded each fact and circumstance tending to show the  
62 condition of the body and the cause and manner of death.

63           ~~[8-]~~ **9.** If on view of the dead body and after personal inquiry into the cause and manner  
64 of death, the coroner considers a further inquiry and examination necessary in the public interest,  
65 the coroner shall make out the coroner's warrant directed to the sheriff of the city or county  
66 requiring the sheriff forthwith to summon six good and lawful citizens of the county to appear  
67 before the coroner, at the time and place expressed in the warrant, and to inquire how and by  
68 whom the deceased died.

69           ~~[9-]~~ **10.** (1) When a person is being transferred from one county to another county for  
70 medical treatment and such person dies while being transferred, or dies while being treated in  
71 the emergency room of the receiving facility, the place which the person is determined to be dead  
72 shall be considered the place of death and the county coroner or medical examiner of the county  
73 from which the person was originally being transferred shall be responsible for determining the  
74 cause and manner of death for the Missouri certificate of death.

75           (2) The coroner or medical examiner in the county in which the person is determined to  
76 be dead may with authorization of the coroner or medical examiner from the original transferring  
77 county, investigate and conduct postmortem examinations at the expense of the coroner or  
78 medical examiner from the original transferring county. The coroner or medical examiner from  
79 the original transferring county shall be responsible for investigating the circumstances of such  
80 and completing the Missouri certificate of death. The certificate of death shall be filed in the  
81 county where the deceased was pronounced dead.

82           (3) Such coroner or medical examiner of the county where a person is determined to be  
83 dead shall immediately notify the coroner or medical examiner of the county from which the  
84 person was originally being transferred of the death of such person, and shall make available  
85 information and records obtained for investigation of the death.

86           (4) If a person does not die while being transferred and is institutionalized as a regularly  
87 admitted patient after such transfer and subsequently dies while in such institution, the coroner  
88 or medical examiner of the county in which the person is determined to be dead shall  
89 immediately notify the coroner or medical examiner of the county from which such person was  
90 originally transferred of the death of such person. In such cases, the county in which the  
91 deceased was institutionalized shall be considered the place of death. If the manner of death is  
92 by homicide, suicide, accident, criminal abortion including those that are self-induced, child  
93 fatality, or any unusual or suspicious manner, the investigation of the cause and manner of death  
94 shall revert to the county of origin, and this coroner or medical examiner shall be responsible for  
95 the Missouri certificate of death. The certificate of death shall be filed in the county where the  
96 deceased was pronounced dead.

97           ~~[10-]~~ **11.** There shall not be any statute of limitations or time limits on the cause of death  
98 when death is the final result or determined to be caused by homicide, suicide, accident, child

99 fatality, criminal abortion including those self-induced, or any unusual or suspicious manner.  
100 The place of death shall be the place in which the person is determined to be dead. The final  
101 investigation of death in determining the cause and matter of death shall revert to the county of  
102 origin, and the coroner or medical examiner of such county shall be responsible for the Missouri  
103 certificate of death. The certificate of death shall be filed in the county where the deceased was  
104 pronounced dead.

105 ~~[11.]~~ **12.** Except as provided in subsection ~~[9]~~ **10** of this section, if a person dies in one  
106 county and the body is subsequently transferred to another county, for burial or other reasons,  
107 the county coroner or medical examiner where the death occurred shall be responsible for the  
108 certificate of death and for investigating the cause and manner of the death.

109 ~~[12.]~~ **13.** In performing the duties, the coroner or medical examiner shall comply with  
110 sections 58.775 to 58.785 with respect to organ donation.

58.720. 1. When any person dies within a county having a medical examiner as a result  
2 of:

3 (1) Violence by homicide, suicide, or accident;

4 (2) Thermal, chemical, electrical, or radiation injury;

5 (3) Criminal abortions, including those self-induced;

6 (4) Disease thought to be of a hazardous and contagious nature or which might constitute  
7 a threat to public health; or when any person dies:

8 (a) Suddenly when in apparent good health;

9 (b) When unattended by a physician, chiropractor, or an accredited Christian Science  
10 practitioner, during the period of thirty-six hours immediately preceding his death;

11 (c) While in the custody of the law, or while an inmate in a public institution;

12 (d) In any unusual or suspicious manner[;]

13

14 the police, sheriff, law enforcement officer or official, or any person having knowledge of such  
15 a death shall immediately notify the office of the medical examiner of the known facts  
16 concerning the time, place, manner and circumstances of the death. Immediately upon receipt  
17 of notification, the medical examiner or his designated assistant shall take charge of the dead  
18 body and fully investigate the essential facts concerning the medical causes of death. He may  
19 take the names and addresses of witnesses to the death and shall file this information in his  
20 office. The medical examiner or his designated assistant shall take possession of all property of  
21 value found on the body, making exact inventory thereof on his report and shall direct the return  
22 of such property to the person entitled to its custody or possession. The medical examiner or his  
23 designated assistant examiner shall take possession of any object or article which, in his opinion,

24 may be useful in establishing the cause of death, and deliver it to the prosecuting attorney of the  
25 county.

26         2. When a death occurs outside a licensed health care facility, the first licensed medical  
27 professional or law enforcement official learning of such death shall contact the county medical  
28 examiner. Immediately upon receipt of such notification, the medical examiner or the medical  
29 examiner's deputy shall make a determination if further investigation is necessary, based on  
30 information provided by the individual contacting the medical examiner, and immediately advise  
31 such individual of the medical examiner's intentions.

32         **3. Notwithstanding the provisions of subsection 2 of this section, when a death**  
33 **occurs under the care of a hospice, no investigation shall be required if the death is**  
34 **certified by the treating physician of the deceased or the medical director of the hospice as**  
35 **a natural death due to disease or diagnosed illness. The hospice shall provide written**  
36 **notice to the medical examiner within twenty-four hours of the death.**

37         ~~[3-]~~ 4. In any case of sudden, violent or suspicious death after which the body was buried  
38 without any investigation or autopsy, the medical examiner, upon being advised of such facts,  
39 may at his own discretion request that the prosecuting attorney apply for a court order requiring  
40 the body to be exhumed.

41         ~~[4-]~~ 5. The medical examiner shall certify the cause of death in any case where death  
42 occurred without medical attendance or where an attending physician refuses to sign a certificate  
43 of death, and may sign a certificate of death in the case of any death.

44         ~~[5-]~~ 6. When the cause of death is established by the medical examiner, he shall file a  
45 copy of his findings in his office within thirty days after notification of the death.

46         ~~[6-]~~ 7. (1) When a person is being transferred from one county to another county for  
47 medical treatment and such person dies while being transferred, or dies while being treated in  
48 the emergency room of the receiving facility, the place which the person is determined to be dead  
49 shall be considered the place of death and the county coroner or the medical examiner of the  
50 county from which the person was originally being transferred shall be responsible for  
51 determining the cause and manner of death for the Missouri certificate of death.

52         (2) The coroner or medical examiner in the county in which the person is determined to  
53 be dead may, with authorization of the coroner or medical examiner from the transferring county,  
54 investigate and conduct postmortem examinations at the expense of the coroner or medical  
55 examiner from the transferring county. The coroner or medical examiner from the transferring  
56 county shall be responsible for investigating the circumstances of such and completing the  
57 Missouri certificate of death. The certificate of death shall be filed in the county where the  
58 deceased was pronounced dead.

59 (3) Such coroner or medical examiner, or the county where a person is determined to be  
60 dead, shall immediately notify the coroner or medical examiner of the county from which the  
61 person was originally being transferred of the death of such person and shall make available  
62 information and records obtained for investigation of death.

63 (4) If a person does not die while being transferred and is institutionalized as a regularly  
64 admitted patient after such transfer and subsequently dies while in such institution, the coroner  
65 or medical examiner of the county in which the person is determined to be dead shall  
66 immediately notify the coroner or medical examiner of the county from which such person was  
67 originally transferred of the death of such person. In such cases, the county in which the  
68 deceased was institutionalized shall be considered the place of death. If the manner of death is  
69 by homicide, suicide, accident, criminal abortion including those that are self-induced, child  
70 fatality, or any unusual or suspicious manner, the investigation of the cause and manner of death  
71 shall revert to the county of origin, and this coroner or medical examiner shall be responsible for  
72 the Missouri certificate of death. The certificate of death shall be filed in the county where the  
73 deceased was pronounced dead.

74 ~~[7-]~~ **8.** There shall not be any statute of limitations or time limits on cause of death when  
75 death is the final result or determined to be caused by homicide, suicide, accident, criminal  
76 abortion including those self-induced, child fatality, or any unusual or suspicious manner. The  
77 place of death shall be the place in which the person is determined to be dead, but the final  
78 investigation of death determining the cause and manner of death shall revert to the county of  
79 origin, and this coroner or medical examiner shall be responsible for the Missouri certificate of  
80 death. The certificate of death shall be filed in the county where the deceased was pronounced  
81 dead.

82 ~~[8-]~~ **9.** Except as provided in subsection ~~[6]~~ **7** of this section, if a person dies in one  
83 county and the body is subsequently transferred to another county, for burial or other reasons,  
84 the county coroner or medical examiner where the death occurred shall be responsible for the  
85 certificate of death and for investigating the cause and manner of the death.

86 ~~[9-]~~ **10.** In performing the duties, the coroner or medical examiner shall comply with  
87 sections 58.775 to 58.785 with respect to organ donation.

193.145. 1. A certificate of death for each death which occurs in this state shall be filed  
2 with the local registrar, or as otherwise directed by the state registrar, within five days after death  
3 and shall be registered if such certificate has been completed and filed pursuant to this section.  
4 All data providers in the death registration process, including, but not limited to, the state  
5 registrar, local registrars, the state medical examiner, county medical examiners, coroners,  
6 funeral directors or persons acting as such, embalmers, sheriffs, attending physicians and resident  
7 physicians, physician assistants, assistant physicians, advanced practice registered nurses, and

8 the chief medical officers of licensed health care facilities, and other public or private institutions  
9 providing medical care, treatment, or confinement to persons, shall be required to use and utilize  
10 any electronic death registration system required and adopted under subsection 1 of section  
11 193.265 within six months of the system being certified by the director of the department of  
12 health and senior services, or the director's designee, to be operational and available to all data  
13 providers in the death registration process. However, should the person or entity that certifies  
14 the cause of death not be part of, or does not use, the electronic death registration system, the  
15 funeral director or person acting as such may enter the required personal data into the electronic  
16 death registration system and then complete the filing by presenting the signed cause of death  
17 certification to the local registrar, in which case the local registrar shall issue death certificates  
18 as set out in subsection 2 of section 193.265. Nothing in this section shall prevent the state  
19 registrar from adopting pilot programs or voluntary electronic death registration programs until  
20 such time as the system can be certified; however, no such pilot or voluntary electronic death  
21 registration program shall prevent the filing of a death certificate with the local registrar or the  
22 ability to obtain certified copies of death certificates under subsection 2 of section 193.265 until  
23 six months after such certification that the system is operational.

24         2. If the place of death is unknown but the dead body is found in this state, the certificate  
25 of death shall be completed and filed pursuant to the provisions of this section. The place where  
26 the body is found shall be shown as the place of death. The date of death shall be the date on  
27 which the remains were found.

28         3. When death occurs in a moving conveyance in the United States and the body is first  
29 removed from the conveyance in this state, the death shall be registered in this state and the place  
30 where the body is first removed shall be considered the place of death. When a death occurs on  
31 a moving conveyance while in international waters or air space or in a foreign country or its air  
32 space and the body is first removed from the conveyance in this state, the death shall be  
33 registered in this state but the certificate shall show the actual place of death if such place may  
34 be determined.

35         4. The funeral director or person in charge of final disposition of the dead body shall file  
36 the certificate of death. The funeral director or person in charge of the final disposition of the  
37 dead body shall obtain or verify and enter into the electronic death registration system:

38             (1) The personal data from the next of kin or the best qualified person or source  
39 available;

40             (2) The medical certification from the person responsible for such certification if  
41 designated to do so under subsection 5 of this section; and

42 (3) Any other information or data that may be required to be placed on a death certificate  
43 or entered into the electronic death certificate system including, but not limited to, the name and  
44 license number of the embalmer.

45 5. The medical certification shall be completed, attested to its accuracy either by  
46 signature or an electronic process approved by the department, and returned to the funeral  
47 director or person in charge of final disposition within seventy-two hours after death by the  
48 physician, physician assistant, assistant physician, **or** advanced practice registered nurse in  
49 charge of the patient's care for the illness or condition which resulted in death. In the absence  
50 of the physician, physician assistant, assistant physician, advanced practice registered nurse or  
51 with the physician's, physician assistant's, assistant physician's, or advanced practice registered  
52 nurse's approval the certificate may be completed and attested to its accuracy either by signature  
53 or an approved electronic process by the physician's associate physician, the chief medical officer  
54 of the institution in which death occurred, or the physician who performed an autopsy upon the  
55 decedent, provided such individual has access to the medical history of the case, views the  
56 deceased at or after death and death is due to natural causes. The person authorized to complete  
57 the medical certification may, in writing, designate any other person to enter the medical  
58 certification information into the electronic death registration system if the person authorized to  
59 complete the medical certificate has physically or by electronic process signed a statement stating  
60 the cause of death. Any persons completing the medical certification or entering data into the  
61 electronic death registration system shall be immune from civil liability for such certification  
62 completion, data entry, or determination of the cause of death, absent gross negligence or willful  
63 misconduct. The state registrar may approve alternate methods of obtaining and processing the  
64 medical certification and filing the death certificate. The Social Security number of any  
65 individual who has died shall be placed in the records relating to the death and recorded on the  
66 death certificate.

67 6. When death occurs from natural causes more than thirty-six hours after the decedent  
68 was last treated by a physician, physician assistant, assistant physician, advanced practice  
69 registered nurse, the case shall be referred to the county medical examiner or coroner or  
70 physician or local registrar for investigation to determine and certify the cause of death. If the  
71 death is determined to be of a natural cause, the medical examiner or coroner or local registrar  
72 shall refer the certificate of death to the attending physician, physician assistant, assistant  
73 physician, **or** advanced practice registered nurse for such certification. If the attending physician,  
74 physician assistant, assistant physician, **or** advanced practice registered nurse refuses or is  
75 otherwise unavailable, the medical examiner or coroner or local registrar shall attest to the  
76 accuracy of the certificate of death either by signature or an approved electronic process within  
77 thirty-six hours.

78           7. If the circumstances suggest that the death was caused by other than natural causes,  
79 the medical examiner or coroner shall determine the cause of death and shall [~~complete and attest~~  
80 ~~to the accuracy~~], either by signature or an approved electronic process, **complete and attest to**  
81 **the accuracy of** the medical certification within seventy-two hours after taking charge of the  
82 case.

83           8. If the cause of death cannot be determined within seventy-two hours after death, the  
84 attending medical examiner, coroner, attending physician, physician assistant, assistant  
85 physician, advanced practice registered nurse, or local registrar shall give the funeral director,  
86 or person in charge of final disposition of the dead body, notice of the reason for the delay, and  
87 final disposition of the body shall not be made until authorized by the medical examiner, coroner,  
88 attending physician, physician assistant, assistant physician, advanced practice registered nurse,  
89 or local registrar.

90           9. When a death is presumed to have occurred within this state but the body cannot be  
91 located, a death certificate may be prepared by the state registrar upon receipt of an order of a  
92 court of competent jurisdiction which shall include the finding of facts required to complete the  
93 death certificate. Such a death certificate shall be marked "Presumptive", show on its face the  
94 date of registration, and identify the court and the date of decree.

95           10. (1) The department of health and senior services shall notify all physicians,  
96 physician assistants, assistant physicians, and advanced practice registered nurses licensed under  
97 chapters 334 and 335 of the requirements regarding the use of the electronic vital records system  
98 provided for in this section.

99           (2) On or before August 30, 2015, the department of health and senior services, division  
100 of community and public health shall create a working group comprised of representation from  
101 the Missouri electronic vital records system users and recipients of death certificates used for  
102 professional purposes to evaluate the Missouri electronic vital records system, develop  
103 recommendations to improve the efficiency and usability of the system, and to report such  
104 findings and recommendations to the general assembly no later than January 1, 2016.

105           **11. Notwithstanding any provision of law, if a coroner or deputy coroner is not**  
106 **current with or is without the approved training required under chapter 58, the**  
107 **department of health and senior services shall prohibit such coroner from attesting to the**  
108 **accuracy of a certificate of death. No person elected or appointed to an office of coroner**  
109 **can assume such elected office until the training requirements, as established by the**  
110 **coroner standards and training commission under the provisions of chapter 58, have been**  
111 **completed and a certificate of completion has been issued. In the event a coroner cannot**  
112 **fulfill his or her duties or is no longer qualified to attest to the accuracy of a death**  
113 **certificate, the sheriff of the county shall appoint a medical professional to attest death**

114 **certificates until such time as the coroner can resume his or her duties or another coroner**  
115 **is appointed or elected to the office.**

193.265. 1. For the issuance of a certification or copy of a death record, the applicant  
2 shall pay a fee of [~~thirteen~~] **fourteen** dollars for the first certification or copy and a fee of [~~ten~~]  
3 **eleven** dollars for each additional copy ordered at that time. For the issuance of a certification  
4 or copy of a birth, marriage, divorce, or fetal death record, the applicant shall pay a fee of fifteen  
5 dollars. All fees **under this subsection** shall be deposited to the state department of revenue.  
6 Beginning August 28, 2004, for each vital records fee collected, the director of revenue shall  
7 credit four dollars to the general revenue fund, five dollars to the children's trust fund, one dollar  
8 shall be credited to the endowed care cemetery audit fund, **one dollar for each certification or**  
9 **copy of death records to the Missouri state coroners' training fund established in section**  
10 **58.208**, and three dollars for the first copy of death records and five dollars for birth, marriage,  
11 divorce, and fetal death records shall be credited to the Missouri public services health fund  
12 established in section 192.900. Money in the endowed care cemetery audit fund shall be  
13 available by appropriation to the division of professional registration to pay its expenses in  
14 administering sections 214.270 to 214.410. All interest earned on money deposited in the  
15 endowed care cemetery audit fund shall be credited to the endowed care cemetery fund.  
16 Notwithstanding the provisions of section 33.080 to the contrary, money placed in the endowed  
17 care cemetery audit fund shall not be transferred and placed to the credit of general revenue until  
18 the amount in the fund at the end of the biennium exceeds three times the amount of the  
19 appropriation from the endowed care cemetery audit fund for the preceding fiscal year. The  
20 money deposited in the public health services fund under this section shall be deposited in a  
21 separate account in the fund, and moneys in such account, upon appropriation, shall be used to  
22 automate and improve the state vital records system, and develop and maintain an electronic  
23 birth and death registration system. For any search of the files and records, when no record is  
24 found, the state shall be entitled to a fee equal to the amount for a certification of a vital record  
25 for a five-year search to be paid by the applicant. For the processing of each legitimation,  
26 adoption, court order or recording after the registrant's twelfth birthday, the state shall be entitled  
27 to a fee equal to the amount for a certification of a vital record. Except whenever a certified copy  
28 or copies of a vital record is required to perfect any claim of any person on relief, or any  
29 dependent of any person who was on relief for any claim upon the government of the state or  
30 United States, the state registrar shall, upon request, furnish a certified copy or so many certified  
31 copies as are necessary, without any fee or compensation therefor.

32 2. For the issuance of a certification of a death record by the local registrar, the applicant  
33 shall pay a fee of [~~thirteen~~] **fourteen** dollars for the first certification or copy and a fee of [~~ten~~]  
34 **eleven** dollars for each additional copy ordered at that time. **For each fee collected under this**

35 subsection, one dollar shall be deposited to the state department of revenue and the  
36 remainder shall be deposited to the official city or county health agency. The director of  
37 revenue shall credit all fees deposited to the state department of revenue under this  
38 subsection to the Missouri state coroners' training fund established in section 58.208.

39 3. For the issuance of a certification or copy of a birth, marriage, For the issuance of a  
40 certification or copy of a birth, marriage, divorce, or fetal death record, the applicant shall pay  
41 a fee of fifteen dollars; except that, in any county with a charter form of government and with  
42 more than six hundred thousand but fewer than seven hundred thousand inhabitants, a donation  
43 of one dollar may be collected by the local registrar over and above any fees required by law  
44 when a certification or copy of any marriage license or birth certificate is provided, with such  
45 donations collected to be forwarded monthly by the local registrar to the county treasurer of such  
46 county and the donations so forwarded to be deposited by the county treasurer into the housing  
47 resource commission fund to assist homeless families and provide financial assistance to  
48 organizations addressing homelessness in such county. The local registrar shall include a  
49 check-off box on the application form for such copies. All fees **collected under this subsection,**  
50 other than the donations collected in any county with a charter form of government and with  
51 more than six hundred thousand but fewer than seven hundred thousand inhabitants for marriage  
52 licenses and birth certificates, shall be deposited to the official city or county health agency.

53 4. A certified copy of a death record by the local registrar can only be issued within  
54 twenty-four hours of receipt of the record by the local registrar. Computer-generated  
55 certifications of death records may be issued by the local registrar after twenty-four hours of  
56 receipt of the records. The fees paid to the official county health agency shall be retained by the  
57 local agency for local public health purposes.

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