

By: Rose

H.B. No. 1285

A BILL TO BE ENTITLED

AN ACT

relating to the delegation of death certification to attending physicians in certain counties.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article 49.25, Code of Criminal Procedure, is amended by adding Section 11a to read as follows:

Sec. 11a. CERTIFICATION OF DEATH BY ATTENDING PHYSICIAN.

If after conducting an inquest, a medical examiner in a county with a population of more than one million determines that a person's death is due to natural causes, the medical examiner may delegate the authority to complete the medical certification for the person's death and to sign the death certificate to:

(1) the person's attending physician at the time of the person's death; or

(2) another attending physician who treated the person during the 12 months preceding the person's death.

SECTION 2. Section 193.005(e), Health and Safety Code, is amended to read as follows:

(e) A person conducting an inquest required by Chapter 49, Code of Criminal Procedure, or an attending physician to whom a medical examiner has delegated certification authority as provided by Section 11a, Article 49.25, Code of Criminal Procedure, shall:

(1) complete the medical certification not later than the fifth day after the date ~~[five days after receiving]~~ the death

1 or fetal death certificate is received; and

2 (2) state on the medical certification the disease
3 that caused the death or, if the death was from external causes, the
4 means of death and whether the death was probably accidental,
5 suicidal, or homicidal, and any other information required by the
6 state registrar to properly classify the death.

7 SECTION 3. This Act takes effect September 1, 2017.