

BILL ANALYSIS

Senate Research Center

H.B. 1739
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Health & Human Services
5/1/2007
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under current law, electronic filing of death certificate information is not required. Providing for such filing may bring efficiency to the reporting process and greatly increase the accuracy of death records. Reducing the time involved in the reporting process may also eliminate delays in postmortem legal proceedings, such as estate settlements, accessing the accounts of the deceased, and the collection of insurance claims.

H.B. 1739 requires a person responsible for burial or removal of a body to file the death certificate electronically according to guidelines established by the state registrar. This bill requires the physician who completed the medical certification required under Section 193.005 (Personal Information), Health and Safety Code, which involves a death that occurred under the attending physician's care, to submit the information electronically.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 193.002, Health and Safety Code, to include the filing of a death certificate electronically as specified by the state registrar as a required responsibility of the person in charge of interment or in charge of removal of a body from a registration district for disposition.

SECTION 2. Amends Section 193.005(h), Health and Safety Code, to require the person completing the medical certification to submit the information and to attest to its validity using an electronic process approved by the state registrar, rather than by signature or by said process.

SECTION 3. (a) Provides that any funeral home that does not renew its establishment license electronically on the effective date of this Act is not required to comply with the change in law made by this Act before September 1, 2008, notwithstanding Sections 193.002 (Person Required to File) and 193.005 (Personal Information), Health and Safety Code.

(b) Provides that any doctor that does not renew the doctor's license electronically on the effective date of this Act is not required to comply with the change in law made by this Act before September 1, 2008, notwithstanding Sections 193.002 and 193.005, Health and Safety Code.

SECTION 4. Effective date: September 1, 2007.