

By: Rose

H.B. No. 1285

Substitute the following for H.B. No. 1285:

By: Moody

C.S.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, with the consent of the physician, 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

1 the fifth day after the date [~~five days after receiving~~] the death
2 or fetal death certificate is received; and

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

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