

HB4993



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB4993

Introduced 2/8/2024, by Rep. Ryan Spain

SYNOPSIS AS INTRODUCED:

410 ILCS 535/18

from Ch. 111 1/2, par. 73-18

Amends the Vital Records Act. Provides that, if a death occurs in this State in a county outside the deceased's county of residence, the local registrar of the district in which the death certificate was filed shall, within 7 days after its filing, send a copy of the death certificate to the local registrar in the district where the deceased's county of residence is located. Effective immediately.

LRB103 38348 CES 68483 b

A BILL FOR

1 AN ACT concerning health.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Vital Records Act is amended by changing
5 Section 18 as follows:

6 (410 ILCS 535/18) (from Ch. 111 1/2, par. 73-18)

7 Sec. 18. (1) Each death which occurs in this State shall be
8 registered by filing a death certificate with the local
9 registrar of the district in which the death occurred or the
10 body was found, within 7 days after such death (within 5 days
11 if the death occurs prior to January 1, 1989) and prior to
12 cremation or removal of the body from the State, except when
13 death is subject to investigation by the coroner or medical
14 examiner. If a death occurs in this State in a county outside
15 the deceased's county of residence, the local registrar of the
16 district in which the death certificate was filed shall,
17 within 7 days of its filing, send a copy of the death
18 certificate to the local registrar in the district where the
19 deceased's county of residence is located.

20 (a) For the purposes of this Section, if the place of
21 death is unknown, a death certificate shall be filed in
22 the registration district in which a dead body is found,
23 which shall be considered the place of death.

1 (b) When a death occurs on a moving conveyance, the
2 place where the body is first removed from the conveyance
3 shall be considered the place of death and a death
4 certificate shall be filed in the registration district in
5 which such place is located.

6 (c) The funeral director who first assumes custody of
7 a dead body shall be responsible for filing a completed
8 death certificate. He or she shall obtain the personal
9 data from the next of kin or the best qualified person or
10 source available; he or she shall enter on the certificate
11 the name, relationship, and address of the informant; he
12 or she shall enter the date, place, and method of final
13 disposition; he or she shall affix his or her own
14 signature and enter his or her address; and shall present
15 the certificate to the person responsible for completing
16 the medical certification of cause of death. The person
17 responsible for completing the medical certification of
18 cause of death must note the presence of
19 methicillin-resistant staphylococcus aureus, clostridium
20 difficile, or vancomycin-resistant enterococci if it is a
21 contributing factor to or the cause of death. Additional
22 multi-drug resistant organisms (MDROs) may be added to
23 this list by the Department by rule.

24 (2) The medical certification shall be completed and
25 signed within 48 hours after death by the certifying health
26 care professional who, within 12 months prior to the date of

1 the patient's death, was treating or managing treatment of the
2 patient's illness or condition which resulted in death, except
3 when death is subject to the coroner's or medical examiner's
4 investigation. In the absence of the certifying health care
5 professional or with his or her approval, the medical
6 certificate may be completed and signed by his or her
7 associate physician, advanced practice registered nurse, or
8 physician assistant, the chief medical officer of the
9 institution in which death occurred, or the physician who
10 performed an autopsy upon the decedent.

11 (3) When a death occurs without medical attendance, or
12 when it is otherwise subject to the coroner's or medical
13 examiner's investigation, the coroner or medical examiner
14 shall be responsible for the completion of a coroner's or
15 medical examiner's certificate of death and shall sign the
16 medical certification within 48 hours after death, except as
17 provided by regulation in special problem cases. If the
18 decedent was under the age of 18 years at the time of his or
19 her death, and the death was due to injuries suffered as a
20 result of a motor vehicle backing over a child, or if the death
21 occurred due to the power window of a motor vehicle, the
22 coroner or medical examiner must send a copy of the medical
23 certification, with information documenting that the death was
24 due to a vehicle backing over the child or that the death was
25 caused by a power window of a vehicle, to the Department of
26 Children and Family Services. The Department of Children and

1 Family Services shall (i) collect this information for use by
2 Child Death Review Teams and (ii) compile and maintain this
3 information as part of its Annual Child Death Review Team
4 Report to the General Assembly.

5 (3.5) The medical certification of cause of death shall
6 expressly provide an opportunity for the person completing the
7 certification to indicate that the death was caused in whole
8 or in part by a dementia-related disease, Parkinson's Disease,
9 or Parkinson-Dementia Complex.

10 (4) When the deceased was a veteran of any war of the
11 United States, the funeral director shall prepare a
12 "Certificate of Burial of U. S. War Veteran", as prescribed
13 and furnished by the Illinois Department of Veterans' Affairs,
14 and submit such certificate to the Illinois Department of
15 Veterans' Affairs monthly.

16 (5) When a death is presumed to have occurred in this State
17 but the body cannot be located, a death certificate may be
18 prepared by the State Registrar upon receipt of an order of a
19 court of competent jurisdiction which includes the finding of
20 facts required to complete the death certificate. Such death
21 certificate shall be marked "Presumptive" and shall show on
22 its face the date of the registration and shall identify the
23 court and the date of the judgment.

24 (Source: P.A. 102-257, eff. 1-1-22; 102-844, eff. 1-1-23;
25 103-154, eff. 6-30-23.)

26 Section 99. Effective date. This Act takes effect upon

1 becoming law.