

# SB1378



## 97TH GENERAL ASSEMBLY

### State of Illinois

2011 and 2012

SB1378

Introduced 2/8/2011, by Sen. Christine Radogno

#### SYNOPSIS AS INTRODUCED:

410 ILCS 535/18

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

Amends the Vital Records Act. Provides that the person responsible for completing the medical certification of cause of death for a death certificate must note the presence of methicillin-resistant staphylococcus aureus if it is a contributing factor to or the cause of death. Effective immediately.

LRB097 06771 RPM 46861 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning public 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.

15 (a) For the purposes of this Section, if the place of  
16 death is unknown, a death certificate shall be filed in the  
17 registration district in which a dead body is found, which  
18 shall be considered the place of death.

19 (b) When a death occurs on a moving conveyance, the  
20 place where the body is first removed from the conveyance  
21 shall be considered the place of death and a death  
22 certificate shall be filed in the registration district in  
23 which such place is located.

1           (c) The funeral director who first assumes custody of a  
2           dead body shall be responsible for filing a completed death  
3           certificate. He shall obtain the personal data from the  
4           next of kin or the best qualified person or source  
5           available; he shall enter on the certificate the name,  
6           relationship, and address of his informant; he shall enter  
7           the date, place, and method of final disposition; he shall  
8           affix his own signature and enter his address; and shall  
9           present the certificate to the person responsible for  
10          completing the medical certification of cause of death. The  
11          person responsible for completing the medical  
12          certification of cause of death must note the presence of  
13          methicillin-resistant staphylococcus aureus if it is a  
14          contributing factor to or the cause of death.

15          (2) The medical certification shall be completed and signed  
16          within 48 hours after death by the physician in charge of the  
17          patient's care for the illness or condition which resulted in  
18          death, except when death is subject to the coroner's or medical  
19          examiner's investigation. In the absence of the physician or  
20          with his approval, the medical certificate may be completed and  
21          signed by his associate physician, the chief medical officer of  
22          the institution in which death occurred or by the physician who  
23          performed an autopsy upon the decedent.

24          (3) When a death occurs without medical attendance, or when  
25          it is otherwise subject to the coroner's or medical examiner's  
26          investigation, the coroner or medical examiner shall be

1 responsible for the completion of a coroner's or medical  
2 examiner's certificate of death and shall sign the medical  
3 certification within 48 hours after death, except as provided  
4 by regulation in special problem cases. If the decedent was  
5 under the age of 18 years at the time of his or her death, and  
6 the death was due to injuries suffered as a result of a motor  
7 vehicle backing over a child, or if the death occurred due to  
8 the power window of a motor vehicle, the coroner or medical  
9 examiner must send a copy of the medical certification, with  
10 information documenting that the death was due to a vehicle  
11 backing over the child or that the death was caused by a power  
12 window of a vehicle, to the Department of Children and Family  
13 Services. The Department of Children and Family Services shall  
14 (i) collect this information for use by Child Death Review  
15 Teams and (ii) compile and maintain this information as part of  
16 its Annual Child Death Review Team Report to the General  
17 Assembly.

18 (3.5) The medical certification of cause of death shall  
19 expressly provide an opportunity for the person completing the  
20 certification to indicate that the death was caused in whole or  
21 in part by a dementia-related disease, Parkinson's Disease, or  
22 Parkinson-Dementia Complex.

23 (4) When the deceased was a veteran of any war of the  
24 United States, the funeral director shall prepare a  
25 "Certificate of Burial of U. S. War Veteran", as prescribed and  
26 furnished by the Illinois Department of Veterans' Affairs, and

1 submit such certificate to the Illinois Department of Veterans'  
2 Affairs monthly.

3 (5) When a death is presumed to have occurred in this State  
4 but the body cannot be located, a death certificate may be  
5 prepared by the State Registrar upon receipt of an order of a  
6 court of competent jurisdiction which includes the finding of  
7 facts required to complete the death certificate. Such death  
8 certificate shall be marked "Presumptive" and shall show on its  
9 face the date of the registration and shall identify the court  
10 and the date of the judgment.

11 (Source: P.A. 96-1000, eff. 7-2-10.)

12 Section 99. Effective date. This Act takes effect upon  
13 becoming law.