

SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 34

AN ACT

To repeal sections 58.095, 58.451, 58.720, 193.145, and 193.265, RSMo, and to enact in lieu thereof seven new sections relating to coroners.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI,
AS FOLLOWS:

1 Section A. Sections 58.095, 58.451, 58.720, 193.145, and
2 193.265, RSMo, are repealed and seven new sections enacted in
3 lieu thereof, to be known as sections 58.035, 58.095, 58.208,
4 58.451, 58.720, 193.145, and 193.265, to read as follows:

5 58.035. 1. There is hereby established within the
6 department of health and senior services a "Coroner Standards and
7 Training Commission" which shall be composed of eight members,
8 appointed by the governor, with the advice and consent of the
9 senate. The governor shall take into account the diversity of
10 the state when making the appointments to this commission. The
11 commission shall consist of:

12 (1) Two coroners elected from counties of the third
13 classification;

14 (2) One coroner elected from a county of the first, second,
15 or fourth classification;

16 (3) One currently appointed medical examiner;

1 (4) One child death pathologist;

2 (5) One elected prosecuting attorney;

3 (6) One elected sheriff;

4 (7) The director of the department of health and senior
5 services, or his or her designee, who shall serve as a nonvoting
6 member of the commission.

7
8 Each member of the coroner standards and training commission
9 shall have been at the time of his appointment a citizen of the
10 United States and a resident of this state for a period of at
11 least one year, and members who are coroners shall be qualified
12 as established by chapter 58.

13 2. The members of the commission shall serve for the
14 following terms:

15 (1) Every member of the commission who holds elected office
16 shall serve an initial term of two years;

17 (2) Every member of the commission who does not hold
18 elected office shall serve an initial term of four years;

19 (3) Every member of the commission shall serve for a term
20 of four years after the initial term has been served.

21 3. Annually the commission shall elect one of the members
22 as chairperson. The coroner standards and training commission
23 shall meet at least twice each year as determined by the director
24 of the department of health and senior services, the chairperson,
25 or a majority of the members to perform its duties. A majority
26 of the members of the coroner standards and training commission
27 shall constitute a quorum.

28 4. No member of the coroner standards and training

1 commission shall receive any compensation for the performance of
2 his or her official duties.

3 5. The coroner standards and training commission shall
4 establish training standards, by rule, relating to the office of
5 county coroner. These standards shall relate to the operation of
6 the office, the legal responsibilities of the office, and the
7 technical skills and knowledge required of the office.

8 6. Any rule or portion of a rule, as that term is defined
9 in section 536.010, that is created under the authority delegated
10 in this section shall become effective only if it complies with
11 and is subject to all of the provisions of chapter 536, and, if
12 applicable, section 536.028. This section and chapter 536 are
13 nonseverable and if any of the powers vested with the general
14 assembly pursuant to chapter 536 to review, to delay the
15 effective date, or to disapprove and annul a rule are
16 subsequently held unconstitutional, then the grant of rulemaking
17 authority and any rule proposed or adopted after August 28, 2019,
18 shall be invalid and void.

19 7. Once the commission has developed standards, the
20 commission shall issue a report detailing the standards. This
21 report shall be submitted to the speaker of the house of
22 representatives and the president pro tempore of the senate, and
23 shall be published on the website of the department of health and
24 senior services.

25 58.095. 1. The county coroner in any county[, other than
26 in a first classification chartered county,] not having a charter
27 form of government shall receive an annual salary computed on a
28 basis as set forth in the following schedule. The provisions of

1 this section shall not permit or require a reduction in the
2 amount of compensation being paid for the office of coroner on
3 January 1, 1997:

4	Assessed Valuation		Salary
5	\$ 18,000,000	to 40,999,999	\$8,000
6	41,000,000	to 53,999,999	8,500
7	54,000,000	to 65,999,999	9,000
8	66,000,000	to 85,999,999	9,500
9	86,000,000	to 99,999,999	10,000
10	100,000,000	to 130,999,999	11,000
11	131,000,000	to 159,999,999	12,000
12	160,000,000	to 189,999,999	13,000
13	190,000,000	to 249,999,999	14,000
14	250,000,000	to 299,999,999	15,000
15	300,000,000	or more	16,000

16 2. One thousand dollars of the salary authorized in this
17 section shall be payable to the coroner only if the coroner has
18 completed at least twenty hours of classroom instruction each
19 calendar year [relating to the operations of the coroner's office
20 when approved by a professional association of the county
21 coroners of Missouri] as established by the coroner standards and
22 training commission unless exempted from the training by the
23 [professional association] Missouri Coroners' and Medical
24 Examiners' Association for good cause. The [professional
25 association approving the program] Missouri Coroners' and Medical
26 Examiners' Association shall provide a certificate of completion
27 to each coroner who completes the training program and shall send
28 a list of certified coroners to the treasurer of each county and

1 the department of health and senior services. The coroner
2 standards and training commission may certify training programs
3 that satisfy the requirements of this section in lieu of the
4 training provided by the Missouri Coroners' and Medical
5 Examiners' Association. Certified training completion shall be
6 submitted to the Missouri Coroners' and Medical Examiners'
7 Association, which, upon validating the certified training, shall
8 submit the individuals name to the county treasurer and
9 department of health and senior services indicating the
10 individual is compliant with the training requirements. Expenses
11 incurred for attending the training session may be reimbursed to
12 the county coroner in the same manner as other expenses as may be
13 appropriated for that purpose. All elected or appointed
14 coroners, deputy coroners, and assistants to the coroner shall
15 complete the annual training described in this subsection within
16 six months of election or appointment.

17 3. The county coroner in any county, other than a first
18 classification charter county, shall not, except upon two-thirds
19 vote of all the members of the salary commission, receive an
20 annual compensation in an amount less than the total compensation
21 being received for the office of county coroner in the particular
22 county for services rendered or performed on the date the salary
23 commission votes.

24 4. For the term beginning in 1997, the compensation of the
25 coroner, in counties in which the salary commission has not voted
26 to pay one hundred percent of the maximum allowable salary, shall
27 be a percentage of the maximum allowable salary established by
28 this section. The percentage applied shall be the same

1 percentage of the maximum allowable salary received or allowed,
2 whichever is greater, to the presiding commissioner or sheriff,
3 whichever is greater, of that county for the year beginning
4 January 1, 1997. In those counties in which the salary
5 commission has voted to pay one hundred percent of the maximum
6 allowable salary, the compensation of the coroner shall be based
7 on the maximum allowable salary in effect at each time a
8 coroner's term of office commences following the vote to pay one
9 hundred percent of the maximum allowable compensation.
10 Subsequent compensation shall be determined as provided in
11 section 50.333.

12 5. Effective January 1, 1997, the county coroner in any
13 county[, other than a county of the first classification with a
14 charter form of government,] not having a charter form of
15 government may, upon the approval of the county commission,
16 receive additional compensation for any month during which
17 investigations or other services are performed for three or more
18 decedents in the same incident during such month. The additional
19 compensation shall be an amount that when added to the regular
20 compensation the sum shall equal the monthly compensation of the
21 county sheriff.

22 58.208. 1. One dollar of the fee collected for any death
23 certificate issued under section 193.265 shall be deposited into
24 the Missouri state coroners' training fund established under
25 subsection 2 of this section. Moneys in such fund shall be used
26 by the Missouri Coroners' and Medical Examiners' Association:

27 (1) For in-state training, equipment, and necessary
28 supplies; and

1 (2) To provide aid to training programs approved by the
2 Missouri Coroners' and Medical Examiners' Association.

3 2. (1) There is hereby created in the state treasury the
4 "Missouri State Coroners' Training Fund", which shall consist of
5 moneys collected under subsection 1 of this section. The state
6 treasurer shall be custodian of the fund. In accordance with
7 sections 30.170 and 30.180, the state treasurer may approve
8 disbursements. The fund shall be a dedicated fund and, upon
9 appropriation, moneys in the fund shall be used solely for the
10 administration of subsection 1 of this section.

11 (2) Notwithstanding the provisions of section 33.080 to the
12 contrary, any moneys remaining in the fund over the amount of
13 five hundred thousand dollars shall revert to the credit of the
14 general revenue fund.

15 (3) The state treasurer shall invest moneys in the fund in
16 the same manner as other funds are invested. Any interest and
17 moneys earned on such investments shall be credited to the fund.

18 3. Local registrars may, during states of emergency or
19 disaster, request reimbursement from the fund for copies of death
20 certificates issued to individuals who are unable to afford the
21 associated fees.

22 58.451. 1. When any person, in any county in which a
23 coroner is required by section 58.010, dies and there is
24 reasonable ground to believe that such person died as a result
25 of:

- 26 (1) Violence by homicide, suicide, or accident;
- 27 (2) Criminal abortions, including those self-induced;
- 28 (3) Some unforeseen sudden occurrence and the deceased had

1 not been attended by a physician during the thirty-six-hour
2 period preceding the death;

3 (4) In any unusual or suspicious manner;

4 (5) Any injury or illness while in the custody of the law
5 or while an inmate in a public institution;

6
7 the police, sheriff, law enforcement officer or official, or any
8 person having knowledge of such a death shall immediately notify
9 the coroner of the known facts concerning the time, place, manner
10 and circumstances of the death. Immediately upon receipt of
11 notification, the coroner or deputy coroner shall take charge of
12 the dead body and fully investigate the essential facts
13 concerning the medical causes of death, including whether by the
14 act of man, and the manner of death. The coroner or deputy
15 coroner may take the names and addresses of witnesses to the
16 death and shall file this information in the coroner's office.
17 The coroner or deputy coroner shall take possession of all
18 property of value found on the body, making exact inventory of
19 such property on the report and shall direct the return of such
20 property to the person entitled to its custody or possession.
21 The coroner or deputy coroner shall take possession of any object
22 or article which, in the coroner's or the deputy coroner's
23 opinion, may be useful in establishing the cause of death, and
24 deliver it to the prosecuting attorney of the county.

25 2. When a death occurs outside a licensed health care
26 facility, the first licensed medical professional or law
27 enforcement official learning of such death shall immediately
28 contact the county coroner. Immediately upon receipt of such

1 notification, the coroner or the coroner's deputy shall make the
2 determination if further investigation is necessary, based on
3 information provided by the individual contacting the coroner,
4 and immediately advise such individual of the coroner's
5 intentions.

6 3. Notwithstanding the provisions of subsection 2 of this
7 section to the contrary, when a death occurs under the care of a
8 hospice, no investigation shall be required if the death is
9 certified by the treating physician of the deceased or the
10 medical director of the hospice as a natural death due to disease
11 or diagnosed illness. The hospice shall provide written notice
12 to the coroner within twenty-four hours of the death.

13 4. Upon taking charge of the dead body and before moving
14 the body the coroner shall notify the police department of any
15 city in which the dead body is found, or if the dead body is
16 found in the unincorporated area of a county governed by the
17 provisions of sections 58.451 to 58.457, the coroner shall notify
18 the county sheriff or the highway patrol and cause the body to
19 remain unmoved until the police department, sheriff or the
20 highway patrol has inspected the body and the surrounding
21 circumstances and carefully noted the appearance, the condition
22 and position of the body and recorded every fact and circumstance
23 tending to show the cause and manner of death, with the names and
24 addresses of all known witnesses, and shall subscribe the same
25 and make such record a part of the coroner's report.

26 [4.] 5. In any case of sudden, violent or suspicious death
27 after which the body was buried without any investigation or
28 autopsy, the coroner, upon being advised of such facts, may at

1 the coroner's own discretion request that the prosecuting
2 attorney apply for a court order requiring the body to be
3 exhumed.

4 [5.] 6. The coroner may certify the cause of death in any
5 case where death occurred without medical attendance or where an
6 attending physician refuses to sign a certificate of death or
7 when a physician is unavailable to sign a certificate of death.

8 [6.] 7. When the cause of death is established by the
9 coroner, the coroner shall file a copy of the findings in the
10 coroner's office within thirty days.

11 [7.] 8. If on view of the dead body and after personal
12 inquiry into the cause and manner of death, the coroner
13 determines that a further examination is necessary in the public
14 interest, the coroner on the coroner's own authority may make or
15 cause to be made an autopsy on the body. The coroner may on the
16 coroner's own authority employ the services of a pathologist,
17 chemist, or other expert to aid in the examination of the body or
18 of substances supposed to have caused or contributed to death,
19 and if the pathologist, chemist, or other expert is not already
20 employed by the city or county for the discharge of such
21 services, the pathologist, chemist, or other expert shall, upon
22 written authorization of the coroner, be allowed reasonable
23 compensation, payable by the city or county, in the manner
24 provided in section 58.530. The coroner shall, at the time of the
25 autopsy, record or cause to be recorded each fact and
26 circumstance tending to show the condition of the body and the
27 cause and manner of death.

28 [8.] 9. If on view of the dead body and after personal

1 inquiry into the cause and manner of death, the coroner considers
2 a further inquiry and examination necessary in the public
3 interest, the coroner shall make out the coroner's warrant
4 directed to the sheriff of the city or county requiring the
5 sheriff forthwith to summon six good and lawful citizens of the
6 county to appear before the coroner, at the time and place
7 expressed in the warrant, and to inquire how and by whom the
8 deceased died.

9 [9.] 10. (1) When a person is being transferred from one
10 county to another county for medical treatment and such person
11 dies while being transferred, or dies while being treated in the
12 emergency room of the receiving facility the place which the
13 person is determined to be dead shall be considered the place of
14 death and the county coroner or medical examiner of the county
15 from which the person was originally being transferred shall be
16 responsible for determining the cause and manner of death for the
17 Missouri certificate of death.

18 (2) The coroner or medical examiner in the county in which
19 the person is determined to be dead may with authorization of the
20 coroner or medical examiner from the original transferring
21 county, investigate and conduct postmortem examinations at the
22 expense of the coroner or medical examiner from the original
23 transferring county. The coroner or medical examiner from the
24 original transferring county shall be responsible for
25 investigating the circumstances of such and completing the
26 Missouri certificate of death. The certificate of death shall be
27 filed in the county where the deceased was pronounced dead.

28 (3) Such coroner or medical examiner of the county where a

1 person is determined to be dead shall immediately notify the
2 coroner or medical examiner of the county from which the person
3 was originally being transferred of the death of such person, and
4 shall make available information and records obtained for
5 investigation of the death.

6 (4) If a person does not die while being transferred and is
7 institutionalized as a regularly admitted patient after such
8 transfer and subsequently dies while in such institution, the
9 coroner or medical examiner of the county in which the person is
10 determined to be dead shall immediately notify the coroner or
11 medical examiner of the county from which such person was
12 originally transferred of the death of such person. In such
13 cases, the county in which the deceased was institutionalized
14 shall be considered the place of death. If the manner of death
15 is by homicide, suicide, accident, criminal abortion including
16 those that are self-induced, child fatality, or any unusual or
17 suspicious manner, the investigation of the cause and manner of
18 death shall revert to the county of origin, and this coroner or
19 medical examiner shall be responsible for the Missouri
20 certificate of death. The certificate of death shall be filed in
21 the county where the deceased was pronounced dead.

22 [10.] 11. There shall not be any statute of limitations or
23 time limits on the cause of death when death is the final result
24 or determined to be caused by homicide, suicide, accident, child
25 fatality, criminal abortion including those self-induced, or any
26 unusual or suspicious manner. The place of death shall be the
27 place in which the person is determined to be dead. The final
28 investigation of death in determining the cause and matter of

1 death shall revert to the county of origin, and the coroner or
2 medical examiner of such county shall be responsible for the
3 Missouri certificate of death. The certificate of death shall be
4 filed in the county where the deceased was pronounced dead.

5 [11.] 12. Except as provided in subsection [9] 10 of this
6 section, if a person dies in one county and the body is
7 subsequently transferred to another county, for burial or other
8 reasons, the county coroner or medical examiner where the death
9 occurred shall be responsible for the certificate of death and
10 for investigating the cause and manner of the death.

11 [12.] 13. In performing the duties, the coroner or medical
12 examiner shall comply with sections 58.775 to 58.785 with respect
13 to organ donation.

14 58.720. 1. When any person dies within a county having a
15 medical examiner as a result of:

- 16 (1) Violence by homicide, suicide, or accident;
17 (2) Thermal, chemical, electrical, or radiation injury;
18 (3) Criminal abortions, including those self-induced;
19 (4) Disease thought to be of a hazardous and contagious
20 nature or which might constitute a threat to public health; or
21 when any person dies:

- 22 (a) Suddenly when in apparent good health;
23 (b) When unattended by a physician, chiropractor, or an
24 accredited Christian Science practitioner, during the period of
25 thirty-six hours immediately preceding his death;
26 (c) While in the custody of the law, or while an inmate in
27 a public institution;
28 (d) In any unusual or suspicious manner;

1 the police, sheriff, law enforcement officer or official, or any
2 person having knowledge of such a death shall immediately notify
3 the office of the medical examiner of the known facts concerning
4 the time, place, manner and circumstances of the death.

5 Immediately upon receipt of notification, the medical examiner or
6 his designated assistant shall take charge of the dead body and
7 fully investigate the essential facts concerning the medical
8 causes of death. He may take the names and addresses of
9 witnesses to the death and shall file this information in his
10 office. The medical examiner or his designated assistant shall
11 take possession of all property of value found on the body,
12 making exact inventory thereof on his report and shall direct the
13 return of such property to the person entitled to its custody or
14 possession. The medical examiner or his designated assistant
15 examiner shall take possession of any object or article which, in
16 his opinion, may be useful in establishing the cause of death,
17 and deliver it to the prosecuting attorney of the county.

18 2. When a death occurs outside a licensed health care
19 facility, the first licensed medical professional or law
20 enforcement official learning of such death shall contact the
21 county medical examiner. Immediately upon receipt of such
22 notification, the medical examiner or the medical examiner's
23 deputy shall make a determination if further investigation is
24 necessary, based on information provided by the individual
25 contacting the medical examiner, and immediately advise such
26 individual of the medical examiner's intentions.

27 3. Notwithstanding the provisions of subsection 2 of this
28 section to the contrary, when a death occurs under the care of a

1 hospice, no investigation shall be required if the death is
2 certified by the treating physician of the deceased or the
3 medical director of the hospice as a natural death due to disease
4 or diagnosed illness. The hospice shall provide written notice
5 to the medical examiner within twenty-four hours of the death.

6 4. In any case of sudden, violent or suspicious death after
7 which the body was buried without any investigation or autopsy,
8 the medical examiner, upon being advised of such facts, may at
9 his own discretion request that the prosecuting attorney apply
10 for a court order requiring the body to be exhumed.

11 [4.] 5. The medical examiner shall certify the cause of
12 death in any case where death occurred without medical attendance
13 or where an attending physician refuses to sign a certificate of
14 death, and may sign a certificate of death in the case of any
15 death.

16 [5.] 6. When the cause of death is established by the
17 medical examiner, he shall file a copy of his findings in his
18 office within thirty days after notification of the death.

19 [6.] 7. (1) When a person is being transferred from one
20 county to another county for medical treatment and such person
21 dies while being transferred, or dies while being treated in the
22 emergency room of the receiving facility, the place which the
23 person is determined to be dead shall be considered the place of
24 death and the county coroner or the medical examiner of the
25 county from which the person was originally being transferred
26 shall be responsible for determining the cause and manner of
27 death for the Missouri certificate of death.

28 (2) The coroner or medical examiner in the county in which

1 the person is determined to be dead may, with authorization of
2 the coroner or medical examiner from the transferring county,
3 investigate and conduct postmortem examinations at the expense of
4 the coroner or medical examiner from the transferring county.
5 The coroner or medical examiner from the transferring county
6 shall be responsible for investigating the circumstances of such
7 and completing the Missouri certificate of death. The
8 certificate of death shall be filed in the county where the
9 deceased was pronounced dead.

10 (3) Such coroner or medical examiner, or the county where a
11 person is determined to be dead, shall immediately notify the
12 coroner or medical examiner of the county from which the person
13 was originally being transferred of the death of such person and
14 shall make available information and records obtained for
15 investigation of death.

16 (4) If a person does not die while being transferred and is
17 institutionalized as a regularly admitted patient after such
18 transfer and subsequently dies while in such institution, the
19 coroner or medical examiner of the county in which the person is
20 determined to be dead shall immediately notify the coroner or
21 medical examiner of the county from which such person was
22 originally transferred of the death of such person. In such
23 cases, the county in which the deceased was institutionalized
24 shall be considered the place of death. If the manner of death
25 is by homicide, suicide, accident, criminal abortion including
26 those that are self-induced, child fatality, or any unusual or
27 suspicious manner, the investigation of the cause and manner of
28 death shall revert to the county of origin, and this coroner or

1 medical examiner shall be responsible for the Missouri
2 certificate of death. The certificate of death shall be filed in
3 the county where the deceased was pronounced dead.

4 [7.] 8. There shall not be any statute of limitations or
5 time limits on cause of death when death is the final result or
6 determined to be caused by homicide, suicide, accident, criminal
7 abortion including those self-induced, child fatality, or any
8 unusual or suspicious manner. The place of death shall be the
9 place in which the person is determined to be dead, but the final
10 investigation of death determining the cause and manner of death
11 shall revert to the county of origin, and this coroner or medical
12 examiner shall be responsible for the Missouri certificate of
13 death. The certificate of death shall be filed in the county
14 where the deceased was pronounced dead.

15 [8.] 9. Except as provided in subsection [6] 7 of this
16 section, if a person dies in one county and the body is
17 subsequently transferred to another county, for burial or other
18 reasons, the county coroner or medical examiner where the death
19 occurred shall be responsible for the certificate of death and
20 for investigating the cause and manner of the death.

21 [9.] 10. In performing the duties, the coroner or medical
22 examiner shall comply with sections 58.775 to 58.785 with respect
23 to organ donation.

24 193.145. 1. A certificate of death for each death which
25 occurs in this state shall be filed with the local registrar, or
26 as otherwise directed by the state registrar, within five days
27 after death and shall be registered if such certificate has been
28 completed and filed pursuant to this section. All data providers

1 in the death registration process, including, but not limited to,
2 the state registrar, local registrars, the state medical
3 examiner, county medical examiners, coroners, funeral directors
4 or persons acting as such, embalmers, sheriffs, attending
5 physicians and resident physicians, physician assistants,
6 assistant physicians, advanced practice registered nurses, and
7 the chief medical officers of licensed health care facilities,
8 and other public or private institutions providing medical care,
9 treatment, or confinement to persons, shall be required to use
10 and utilize any electronic death registration system required and
11 adopted under subsection 1 of section 193.265 within six months
12 of the system being certified by the director of the department
13 of health and senior services, or the director's designee, to be
14 operational and available to all data providers in the death
15 registration process. However, should the person or entity that
16 certifies the cause of death not be part of, or does not use, the
17 electronic death registration system, the funeral director or
18 person acting as such may enter the required personal data into
19 the electronic death registration system and then complete the
20 filing by presenting the signed cause of death certification to
21 the local registrar, in which case the local registrar shall
22 issue death certificates as set out in subsection 2 of section
23 193.265. Nothing in this section shall prevent the state
24 registrar from adopting pilot programs or voluntary electronic
25 death registration programs until such time as the system can be
26 certified; however, no such pilot or voluntary electronic death
27 registration program shall prevent the filing of a death
28 certificate with the local registrar or the ability to obtain

1 certified copies of death certificates under subsection 2 of
2 section 193.265 until six months after such certification that
3 the system is operational.

4 2. If the place of death is unknown but the dead body is
5 found in this state, the certificate of death shall be completed
6 and filed pursuant to the provisions of this section. The place
7 where the body is found shall be shown as the place of death.
8 The date of death shall be the date on which the remains were
9 found.

10 3. When death occurs in a moving conveyance in the United
11 States and the body is first removed from the conveyance in this
12 state, the death shall be registered in this state and the place
13 where the body is first removed shall be considered the place of
14 death. When a death occurs on a moving conveyance while in
15 international waters or air space or in a foreign country or its
16 air space and the body is first removed from the conveyance in
17 this state, the death shall be registered in this state but the
18 certificate shall show the actual place of death if such place
19 may be determined.

20 4. The funeral director or person in charge of final
21 disposition of the dead body shall file the certificate of death.
22 The funeral director or person in charge of the final disposition
23 of the dead body shall obtain or verify and enter into the
24 electronic death registration system:

25 (1) The personal data from the next of kin or the best
26 qualified person or source available;

27 (2) The medical certification from the person responsible
28 for such certification if designated to do so under subsection 5

1 of this section; and

2 (3) Any other information or data that may be required to
3 be placed on a death certificate or entered into the electronic
4 death certificate system including, but not limited to, the name
5 and license number of the embalmer.

6 5. The medical certification shall be completed, attested
7 to its accuracy either by signature or an electronic process
8 approved by the department, and returned to the funeral director
9 or person in charge of final disposition within seventy-two hours
10 after death by the physician, physician assistant, assistant
11 physician, or advanced practice registered nurse in charge of the
12 patient's care for the illness or condition which resulted in
13 death. In the absence of the physician, physician assistant,
14 assistant physician, advanced practice registered nurse or with
15 the physician's, physician assistant's, assistant physician's, or
16 advanced practice registered nurse's approval the certificate may
17 be completed and attested to its accuracy either by signature or
18 an approved electronic process by the physician's associate
19 physician, the chief medical officer of the institution in which
20 death occurred, or the physician who performed an autopsy upon
21 the decedent, provided such individual has access to the medical
22 history of the case, views the deceased at or after death and
23 death is due to natural causes. The person authorized to
24 complete the medical certification may, in writing, designate any
25 other person to enter the medical certification information into
26 the electronic death registration system if the person authorized
27 to complete the medical certificate has physically or by
28 electronic process signed a statement stating the cause of death.

1 Any persons completing the medical certification or entering data
2 into the electronic death registration system shall be immune
3 from civil liability for such certification completion, data
4 entry, or determination of the cause of death, absent gross
5 negligence or willful misconduct. The state registrar may
6 approve alternate methods of obtaining and processing the medical
7 certification and filing the death certificate. The Social
8 Security number of any individual who has died shall be placed in
9 the records relating to the death and recorded on the death
10 certificate.

11 6. When death occurs from natural causes more than
12 thirty-six hours after the decedent was last treated by a
13 physician, physician assistant, assistant physician, advanced
14 practice registered nurse, the case shall be referred to the
15 county medical examiner or coroner or physician or local
16 registrar for investigation to determine and certify the cause of
17 death. If the death is determined to be of a natural cause, the
18 medical examiner or coroner or local registrar shall refer the
19 certificate of death to the attending physician, physician
20 assistant, assistant physician, or advanced practice registered
21 nurse for such certification. If the attending physician,
22 physician assistant, assistant physician, advanced practice
23 registered nurse refuses or is otherwise unavailable, the medical
24 examiner or coroner or local registrar shall attest to the
25 accuracy of the certificate of death either by signature or an
26 approved electronic process within thirty-six hours.

27 7. If the circumstances suggest that the death was caused
28 by other than natural causes, the medical examiner or coroner

1 shall determine the cause of death and shall [complete and attest
2 to the accuracy], either by signature or an approved electronic
3 process, complete and attest to the accuracy of the medical
4 certification within seventy-two hours after taking charge of the
5 case.

6 8. If the cause of death cannot be determined within
7 seventy-two hours after death, the attending medical examiner,
8 coroner, attending physician, physician assistant, assistant
9 physician, advanced practice registered nurse, or local registrar
10 shall give the funeral director, or person in charge of final
11 disposition of the dead body, notice of the reason for the delay,
12 and final disposition of the body shall not be made until
13 authorized by the medical examiner, coroner, attending physician,
14 physician assistant, assistant physician, advanced practice
15 registered nurse, or local registrar.

16 9. When a death is presumed to have occurred within this
17 state 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 shall include the finding
20 of facts required to complete the death certificate. Such a
21 death certificate shall be marked "Presumptive", show on its face
22 the date of registration, and identify the court and the date of
23 decree.

24 10. (1) The department of health and senior services shall
25 notify all physicians, physician assistants, assistant
26 physicians, and advanced practice registered nurses licensed
27 under chapters 334 and 335 of the requirements regarding the use
28 of the electronic vital records system provided for in this

1 section.

2 (2) On or before August 30, 2015, the department of health
3 and senior services, division of community and public health
4 shall create a working group comprised of representation from the
5 Missouri electronic vital records system users and recipients of
6 death certificates used for professional purposes to evaluate the
7 Missouri electronic vital records system, develop recommendations
8 to improve the efficiency and usability of the system, and to
9 report such findings and recommendations to the general assembly
10 no later than January 1, 2016.

11 11. Notwithstanding any provision of law to the contrary,
12 if a coroner or deputy coroner is not current with or is without
13 the approved training under chapter 58, the department of health
14 and senior services shall prohibit such coroner from attesting to
15 the accuracy of a certificate of death. No person elected or
16 appointed to the office of coroner can assume such elected office
17 until the training, as established by the coroner standards and
18 training commission under the provisions of section 58.035, has
19 been completed and a certificate of completion has been issued.
20 In the event a coroner cannot fulfill his or her duties or is no
21 longer qualified to attest to the accuracy of a death
22 certificate, the sheriff of the county shall appoint a medical
23 professional to attest death certificates until such time as the
24 coroner can resume his or her duties or another coroner is
25 appointed or elected to the office.

26 193.265. 1. For the issuance of a certification or copy of
27 a death record, the applicant shall pay a fee of [thirteen]
28 fourteen dollars for the first certification or copy and a fee of

1 ~~ten~~ eleven dollars for each additional copy ordered at that
2 time. For the issuance of a certification or copy of a birth,
3 marriage, divorce, or fetal death record, the applicant shall pay
4 a fee of fifteen dollars. No fee shall be required or collected
5 for a certification of birth, death, or marriage if the request
6 for certification is made by the children's division, the
7 division of youth services, a guardian ad litem, or a juvenile
8 officer on behalf of a child or person under twenty-one years of
9 age who has come under the jurisdiction of the juvenile court
10 under section 211.031. All fees collected under this subsection
11 shall be deposited to the state department of revenue. Beginning
12 August 28, 2004, for each vital records fee collected, the
13 director of revenue shall credit four dollars to the general
14 revenue fund, five dollars to the children's trust fund, one
15 dollar shall be credited to the endowed care cemetery audit fund,
16 ~~and~~ one dollar for each certification or copy of death records
17 to the Missouri state coroners' training fund established in
18 section 58.208, three dollars for the first copy of death records
19 and five dollars for birth, marriage, divorce, and fetal death
20 records shall be credited to the Missouri public services health
21 fund established in section 192.900. Money in the endowed care
22 cemetery audit fund shall be available by appropriation to the
23 division of professional registration to pay its expenses in
24 administering sections 214.270 to 214.410. All interest earned
25 on money deposited in the endowed care cemetery audit fund shall
26 be credited to the endowed care cemetery fund. Notwithstanding
27 the provisions of section 33.080 to the contrary, money placed in
28 the endowed care cemetery audit fund shall not be transferred and

1 placed to the credit of general revenue until the amount in the
2 fund at the end of the biennium exceeds three times the amount of
3 the appropriation from the endowed care cemetery audit fund for
4 the preceding fiscal year. The money deposited in the public
5 health services fund under this section shall be deposited in a
6 separate account in the fund, and moneys in such account, upon
7 appropriation, shall be used to automate and improve the state
8 vital records system, and develop and maintain an electronic
9 birth and death registration system. For any search of the files
10 and records, when no record is found, the state shall be entitled
11 to a fee equal to the amount for a certification of a vital
12 record for a five-year search to be paid by the applicant. For
13 the processing of each legitimation, adoption, court order or
14 recording after the registrant's twelfth birthday, the state
15 shall be entitled to a fee equal to the amount for a
16 certification of a vital record. Except whenever a certified
17 copy or copies of a vital record is required to perfect any claim
18 of any person on relief, or any dependent of any person who was
19 on relief for any claim upon the government of the state or
20 United States, the state registrar shall, upon request, furnish a
21 certified copy or so many certified copies as are necessary,
22 without any fee or compensation therefor.

23 2. For the issuance of a certification of a death record by
24 the local registrar, the applicant shall pay a fee of [thirteen]
25 fourteen dollars for the first certification or copy and a fee of
26 [ten] eleven dollars for each additional copy ordered at that
27 time. For each fee collected under this subsection, one dollar
28 shall be deposited to the state department of revenue and the

1 remainder shall be deposited to the official city or county
2 health agency. The director of revenue shall credit all fees
3 deposited to the state department of revenue under this
4 subsection to the Missouri state coroners' training fund
5 established in section 58.208.

6 3. For the issuance of a certification or copy of a birth,
7 marriage, divorce, or fetal death record, the applicant shall pay
8 a fee of fifteen dollars; except that, in any county with a
9 charter form of government and with more than six hundred
10 thousand but fewer than seven hundred thousand inhabitants, a
11 donation of one dollar may be collected by the local registrar
12 over and above any fees required by law when a certification or
13 copy of any marriage license or birth certificate is provided,
14 with such donations collected to be forwarded monthly by the
15 local registrar to the county treasurer of such county and the
16 donations so forwarded to be deposited by the county treasurer
17 into the housing resource commission fund to assist homeless
18 families and provide financial assistance to organizations
19 addressing homelessness in such county. The local registrar
20 shall include a check-off box on the application form for such
21 copies. All fees collected under this subsection, other than the
22 donations collected in any county with a charter form of
23 government and with more than six hundred thousand but fewer than
24 seven hundred thousand inhabitants for marriage licenses and
25 birth certificates, shall be deposited to the official city or
26 county health agency.

27 4. A certified copy of a death record by the local
28 registrar can only be issued within twenty-four hours of receipt

1 of the record by the local registrar. Computer-generated
2 certifications of death records may be issued by the local
3 registrar after twenty-four hours of receipt of the records. The
4 fees paid to the official county health agency shall be retained
5 by the local agency for local public health purposes.

6