An Act

ENROLLED SENATE
BILL NO. 1448

By: Holt of the Senate

and

Hall of the House

An Act relating to vital statistics; amending 63 O.S. 2011, Section 1-323, which relates to confidentiality of records; designating certain records as public information for certain time periods; and providing an effective date.

SUBJECT: Vital statistics

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 63 O.S. 2011, Section 1-323, is amended to read as follows:

Section 1-323. A. To protect the integrity of vital statistics records, to insure their proper use, and to insure the efficient and proper administration of the vital statistics system, it shall be unlawful for any person to permit inspection of, or to disclose information contained in, vital statistics records, or to copy or issue a copy of all or part of any such record except to the person who is the subject of the record or in such person's interest unless ordered to do so by a court of competent jurisdiction; provided that death certificates shall be considered publicly available records seventy-five (75) years after the death and birth certificates shall be considered publicly available records one hundred twenty-five (125) years after the birth. Certified copies of birth certificates and death certificates shall be provided without cost and without a court order to the Attorney General or to any district attorney upon request in the course of a criminal investigation.

B. The State Commissioner of Health may authorize the disclosure of data contained in vital statistics records for public health surveillance or research purposes.

C. The State Department of Health shall transmit to the Department of Public Safety:

1. At the end of each quarter year, a list of all registered deaths which have occurred during such period of time. Upon receipt of such list the Department of Public Safety shall use such list solely to update Department of Public Safety records and to cancel the driver license for those deceased individuals with a valid Oklahoma driver license at the time of death;

2. At the end of each month, a report of all registered deaths that resulted from a motor vehicle collision which have occurred during such period of time. The report shall be used by the Department solely for the purpose of statistical analysis and reporting; and

3. Upon written request from the Department, a death certificate. The certificate shall be used solely by the Fatality Analysis Reporting System (FARS) Analyst of the Oklahoma Highway Safety Office to populate the federal FARS database.

D. Each month, the Commissioner shall authorize the transmission to the Oklahoma Health Care Authority of a certified list of all registered deaths of residents of this state that have occurred within the state for the immediately preceding month. The Oklahoma Health Care Authority shall use the transmitted list to ascertain the names of those individuals participating in the state Medicaid program who are deceased, and shall thereafter terminate such deceased person's enrollment in the state Medicaid program.

E. For the purpose of assisting in the location and recovery of missing children, information pertaining to birth certificates and requests for copies of birth certificates shall be provided to the Oklahoma State Bureau of Investigation pursuant to the provisions of Section 1-323.1 of this title and Section 150.12A of Title 74 of the Oklahoma Statutes.

F. The Commissioner shall authorize the transmission of death certificates to the Department of Labor for the purpose of the Department of Labor conducting a census of total occupational injuries and illnesses. The Department shall transmit to the Department of Labor statistics of fatal occupational injuries that shall include the following:

1. Name of the deceased;

2. Date of death;

3. Sex;

4. Race;

5. Age;

6. Birth date;

7. Social security number;

8. Whether an autopsy was conducted;

9. Month of the accident; and

10. Whether decedent was of Hispanic origin.

H. The Department of Labor shall be required to protect the integrity of the vital statistics records to the same extent required of the Department pursuant to this section.

SECTION 2. This act shall become effective November 1, 2014.

Passed the Senate the 4th day of March, 2014.

Presiding Officer of the Senate

Passed the House of Representatives the 22nd day of April, 2014.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 24th

day of April, 20____, at 2:50 o'clock P M.

By: Audrey Rockwell

Approved by the Governor of the State of Oklahoma this 30th

day of April, 20 14, at 3:59 o'clock P M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 30th

day of April, 20 14, at 4:30 o'clock P. M.

By: Chris Benge