COMMITTEE REPORT

March 28, 2012

**H. 4687**

Introduced by Reps. King, Parks, Butler Garrick, J.E. Smith and Lucas

S. Printed 3/28/12--H.

Read the first time January 26, 2012.

**THE COMMITTEE ON MEDICAL,**

**MILITARY, PUBLIC AND MUNICIPAL AFFAIRS**

To whom was referred a Bill (H. 4687) to amend the Code of Laws of South Carolina, 1976, by adding Section 44-63-74 so as to require death certificates to be electronically transmitted among all parties, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/SECTION 1. Chapter 63, Title 44 of the 1976 Code is amended by adding:

“Section 44-63-74. (A) Notwithstanding any other provision of law, death certificates must be electronically filed with the Bureau of Vital Statistics as prescribed by the State Registrar of Vital Statistics. Death certificates must be transmitted electronically between the funeral home director and the physician, coroner, or medical examiner certifying the cause of death in order to document the death certificate information prescribed by this chapter. Required signatures on death certificates must be provided by electronic signature. An individual who acts, without compensation, as a funeral director on behalf of a deceased family member or friend, physicians certifying fewer than twelve deaths per year, and funeral homes that perform fewer than twelve funerals per year are exempt from this requirement.

(B) For purposes of this section, an electronic signature shall be as defined pursuant to the Uniform Electronic Transactions Act, Chapter 6, Title 26.”

SECTION 2. This act takes effect July 1, 2012. /

Renumber sections to conform.

Amend title to conform.

LEON HOWARD for Committee.

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-63-74 SO AS TO REQUIRE DEATH CERTIFICATES TO BE ELECTRONICALLY TRANSMITTED AMONG ALL PARTIES REQUIRED TO COMPLETE THE DEATH CERTIFICATE; TO REQUIRE ELECTRONIC FILING OF THE DEATH CERTIFICATE WITH THE BUREAU OF VITAL STATISTICS, DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL; TO PROVIDE THAT REQUIRED SIGNATURES MUST BE PROVIDED ELECTRONICALLY; AND TO DEFINE “ELECTRONIC SIGNATURE”.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Chapter 63, Title 44 of the 1976 Code is amended by adding:

“Section 44-63-74. (A) Notwithstanding any other provision of law, death certificates must be transmitted electronically among all parties required to complete death certificate information, including but not limited to, funeral home directors, licensed embalmers, physicians, coroners, and medical examiners, and must be transmitted electronically for filing with the Bureau of Vital Statistics, Department of Health and Environmental Control. Required signatures on death certificates must be provided by electronic signature.

(B) For purposes of this section, an electronic signature means a method of signing an electronic message that:

(1) identifies and authenticates a particular person as the source of the electronic message; and

(2) indicates such person’s approval of the information contained in the electronic message.”

SECTION 2. This act takes effect July 1, 2012.

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