

SESSION OF 2024

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2358

As Amended by Senate Committee on Federal
and State Affairs

Brief*

HB 2358, as amended, would modify the Uniform Vital Statistics Act provisions concerning who may certify a cause of death.

Cause of Death Certifier

The bill would specify that a cause of death certifier could certify the cause of death of a deceased person. The bill would define “cause of death certifier” to mean:

- A person licensed to practice medicine and surgery by the State Board of Healing Arts (Board);
- A physician assistant licensed by the Board;
- An advanced practice registered nurse licensed by the State Board of Nursing;
- District coroner;
- Deputy coroner; or
- Special deputy coroner.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

Immunity

The bill would state a cause of death certifier who makes a certification in good faith would be immune from civil liability for such certification.

Technical and Conforming Amendments

The bill would make technical and conforming amendments to implement the bill's provisions, including replacing references to medical certifications regarding the death of person by specifying the certification as a "cause of death" certification.

Background

The bill was introduced by the House Committee on Federal and State Affairs at the request of Representative Eplee.

House Committee on Federal and State Affairs

In the House Committee hearing, **proponent** testimony was provided by representatives of the Kansas Academy of Physician Assistants, Kansas Funeral Home Directors Association, and Pawnee Valley Community Hospital, and by a private citizen. The proponents indicated the bill would help expedite the timely filing of death certificates in Kansas by expanding who can certify the cause of death. The proponents also requested that mid-level practitioners be replaced with language specifying certain practitioners who could certify a cause of death and that certain practitioners be able to request hospice care for their patients.

No other testimony was provided.

The House Committee amended the bill to replace references to specific professions that could certify a death

with references to a cause of death certifier. The House Committee also inserted language to define “cause of death certifier.”

Senate Committee on Federal and State Affairs

In the Senate Committee hearing, **proponent** testimony was provided by a representative of the Kansas Funeral Directors Association, who stated that this bill would address delays in the filing of death certificates and, thereby, possible subsequent delays in the family’s filing for insurance benefits, among other implications.

Written-only proponent testimony was provided by a representative of the Kansas Academy of Physician Associates and a private citizen.

No other testimony was provided.

The Senate Committee made a technical amendment to the bill to make the “certification of cause of death” terminology consistent.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the Kansas Department of Health and Environment indicates enactment of the bill would not have a fiscal effect on agency operations.

Public health; cause of death certifier; cause of death; death certificate; Uniform Vital Statistics Act