

SESSION OF 2024

**SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2358**

As Amended by Senate Committee of the Whole

**Brief\***

HB 2358, as amended, would modify the Uniform Vital Statistics Act provisions concerning who could 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 Board of Nursing;
- District coroner;
- Deputy coroner; or
- Special deputy coroner.

***Technical and Conforming Amendments***

The bill would make technical and conforming amendments to implement the bill’s provisions, including

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\*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>

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.

### ***Senate Committee of the Whole***

The Senate Committee of the Whole amended the bill to remove the immunity provision that would have shielded a cause of death certifier acting in good faith from civil liability.

### **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