~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

February 25, 2021

**H. 3325**

Introduced by Reps. King, Murray, Rivers, M.M. Smith and Parks

S. Printed 2/25/21--H.

Read the first time January 12, 2021.

**THE COMMITTEE ON MEDICAL,**

**MILITARY, PUBLIC AND MUNICIPAL AFFAIRS**

To whom was referred a Bill (H. 3325) to amend Section 44‑63‑74, Code of Laws of South Carolina, 1976, relating to the mandatory electronic filing of death certificates with the bureau of vital statistics, 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 SECTION 2 and inserting:

/ SECTION 2. This act takes effect July 1, 2021. /

Renumber sections to conform.

Amend title to conform.

LEON HOWARD for Committee.

**Explanation of Fiscal Impact**

**State Expenditure**

This bill makes changes to the current exemptions for electronic certification of death certificates. Death certificates must be electronically filed with DHEC’s Bureau of Vital Statistics. Physicians who certify fewer than twelve deaths per year and funeral homes that perform fewer than twelve funerals per year are currently exempt from the electronic filing requirements. This bill removes these exemptions and will require all physicians and funeral homes to file electronically. Only an individual who acts without compensation as a funeral director on behalf of a deceased family member or friend will remain exempt from the electronic filing requirement. DHEC indicates that while the physicians affected by this bill may require training to electronically submit death certificates, the training would be administered using existing staff and resources. Further, their system does not track whether certificates were filed electronically or by paper. However, they do not anticipate the electronic filing requirements proposed in this bill will significantly reduce expenses. Therefore, this bill will have no expenditure impact on DHEC.

Frank A. Rainwater, Executive Director

Revenue and Fiscal Affairs Office

**A** **BILL**

TO AMEND SECTION 44‑63‑74, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MANDATORY ELECTRONIC FILING OF DEATH CERTIFICATES WITH THE BUREAU OF VITAL STATISTICS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, SO AS TO ELIMINATE EXEMPTIONS FOR PHYSICIANS WHO CERTIFY FEWER THAN TWELVE DEATHS ANNUALLY.

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

SECTION 1. Section 44‑63‑74(A)(4) of the 1976 Code is amended to read:

“(4) Death certificates must be transmitted electronically between the funeral home, or 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~~ is exempt from the requirement to file electronically but must comply with the requirements of items (2) or (3), as applicable.”

SECTION 2. This act takes effect upon approval by the Governor.

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