**South Carolina General Assembly**

126th Session, 2025-2026

**H. 3616**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. McDaniel

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Prefiled in the House on December 12, 2024

Currently residing in the House Committee on **Medical, Military, Public and Municipal Affairs**

Summary: Death Certificates

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 12/12/2024 House Prefiled

 12/12/2024 House Referred to Committee on **Medical, Military, Public and Municipal Affairs**

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**VERSIONS OF THIS BILL**

[12/12/2024](https://www.scstatehouse.gov/sess126_2025-2026/prever/3616_20241212.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44‑63‑74, RELATING IN PART TO MEDICAL CERTIFICATIONS OF CAUSE OF DEATH, SO AS TO REQUIRE HOSPITALS TO PROVIDE TO A DECEASED PATIENT’S FAMILY THE CAUSE OF DEATH TO BE TRANSMITTED TO THE BUREAU OF VITAL STATISTICS, AND FOR OTHER PURPOSES.

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

SECTION 1. Section 44‑63‑74(A)(3) and (5) of the S.C. Code is amended to read:

 (3)(a) Medical certifications of cause of death must be completed and returned to the funeral home director within forty‑eight hours after receipt of notice of the death by the physician in charge of the patient’s care for the illness or condition which resulted in death, except when an inquiry is required by a coroner or medical examiner. If the cause of death cannot be determined within forty‑eight hours after death, the medical certification must be entered as pending, and the physician, medical examiner, or coroner shall submit a supplemental report to the state registrar on a form furnished by or approved by him as soon as practicable. The supplemental report shall be made a part of the death certificate. If the forty‑eight hourforty‑eight‑hour period terminates on a weekend, federal holiday, or state holiday, the physician must file the certification by the end of the next business day. In the absence of this physician or with his approval, the certificate may be completed by his associate physician, the chief medical officer of the institution in which the death occurred, or by the pathologist who performed an autopsy upon the decedent.

 (b) The cause of a hospital patient’s death to be listed on the medical certification of cause of death for transmission to the Bureau of Vital Statistics pursuant to item (1) must be provided to the patient’s family before the patient’s body is released from the facility and before the patient’s family completes any required patient discharge processes.

 (5)(a) A physician who fails to certify the cause of death within forty‑eight hours in accordance with the requirements of item (3)(a) or a hospital that fails to provide the cause of death to the patient’s family in accordance with the requirements of item (3)(b), without good cause shown, may be assessed an administrative penalty for violating item (3). The department shall notify the Board of Medical Examiners if a penalty is assessed against a physician. Each day after the initial forty‑eight hourforty‑eight‑hour period shall constitute an additional violation.

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

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