

SUBJECT: Altering the date data field for death and fetal death certificates

COMMITTEE: Public Health — favorable, without amendment

VOTE: 10 ayes — Kolkhorst, Naishtat, Alvarado, Coleman, S. Davis, Gonzales, S. King, Schwertner, Truitt, Zerwas

0 nays

1 absent — Laubenberg

WITNESSES: For — Paul Guinn

Against — (*Registered, but did not testify:* Gary Shaffer and Bill Vallie, Texas Funeral Directors Association)

On — (*Registered, but did not testify:* Sandra Lackey, Texas Department of State Health Services Vital Statistics Unit)

BACKGROUND: Health and Safety Code, sec. 193.001 requires the Department of State Health Services (DSHS) to prescribe the form and contents of death certificates and fetal death certificates.

DIGEST: HB 2940 would amend the Health and Safety Code, sec. 193.001 to require the Department of State Health Services (DSHS) to revise instructions in the Texas Electronic Registrar (TER) and the fetal death certificate form for an individual who was responsible for completing the death or fetal death certificate. Under the bill, the individual would be prompted to enter the date in the order of “month, day, year” and to spell out the name of the month when entering the date.

DSHS would have to complete these changes to the system and the form by January 1, 2012, and a person completing a death certificate would have to comply with the changes by February 1, 2012.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2011.

**SUPPORTERS
SAY:**

HB 2940 would make certified death certificates easier to read by requiring DSHS to improve the area of the Texas Electronic Registrar (TER) that collects information used for standard death certificates and to alter the actual fetal death certificate form. Current law requires that a standard death certificate be filed in an electronic registry, but the database does not specify the order in which the date should be written out. Fetal death certificates are filed on an actual form, and currently no code beneath the date field indicates how the date should be completed. The change made by the bill would make the electronic database and form used for death certificates clearer and more user-friendly to ensure that this vital information was accurate and gathered as efficiently as possible.

Death and fetal death certificates are permanent legal records of an individual's death. The information collected may be used as evidence in the courts and has been tremendously important in furthering historical or genealogical research. Data entry errors can be made by inverting the numbers on the date of death. This easily could be avoided by requiring the month to be spelled out in full. Physicians receive clear instructions on how to complete the date when they record death statistics because it is important for this information to be accurate. It would be reasonable to ensure that individuals who complete death certificates have the same guidelines.

The fiscal note prepared by the LBB indicates that any costs associated with implementing this bill could be absorbed by DSHS through existing agency resources.

**OPPONENTS
SAY:**

HB 2940 would create an added cost for DSHS to alter the Texas Electronic Registrar (TER) used for standard death certificates and the paper forms used for fetal death certificates. The TER was developed by a private vendor. Changes to the system would be programmatic and would need to be completed by the vendor at an additional cost of \$54,250 over state fiscal years 2012 to 2016. It is expected that altering the form for the fetal death certificate also would impose some type of cost for the agency.

In addition, space constraints should be considered before altering the actual form for the fetal death certificate. The form currently collects vital information used for public health research to prevent fetal and infant deaths and is used to evaluate prenatal care services and obstetric programs. Adding content to this form for a fairly intuitive date field could

displace other important statistics used to protect maternal and infant health in Texas.

The agency has not received many complaints from other individuals about completing the date field in either the TER system or on the fetal death certificate form. HB 2940 would burden DSHS with more work and expenses over a data point that does not cause much confusion.