

- SUBJECT:** Delegating death certification to attending physicians in certain counties
- COMMITTEE:** Criminal Jurisprudence — committee substitute recommended
- VOTE:** 6 ayes — Moody, Hunter, Gervin-Hawkins, Hefner, Lang, Wilson
0 nays
1 absent — Canales
- WITNESSES:** For — Jeffrey Barnard, Dallas County; (*Registered, but did not testify:* Melissa Shannon, Bexar County Commissioners Court; Kristina Brown, Counter Balance: ATX; Charles Reed, Dallas County Commissioners Court; Donna Warndof, Harris County; Bill Gravell, Justices of the Peace and Constables Association Of Texas; Mark Mendez, Tarrant County; Ender Reed, Texas Association of Counties; John Dahill, Texas Conference of Urban Counties; Fatima Mann, Texas Criminal Justice Coalition; Dan Finch, Texas Medical Association; Julie Wheeler, Travis County Commissioners Court)
Against — None
- BACKGROUND:** Code of Criminal Procedure, ch. 49, subch. B governs the duties and responsibilities of medical examiners.
- DIGEST:** CSHB 1285 would allow medical examiners to delegate death certification to certain physicians. After determining through an inquest that a person's death was due to natural causes, the medical examiner could, with the consent of the physician, delegate the authority to complete the medical certification for a person's death and to sign the certificate to the attending physician at the time of the person's death or to another physician was treating the person in the 12 months preceding the person's death.

The bill would apply only to counties with a population of more than 1 million (Bexar, Dallas, Harris, Tarrant, and Travis).

The bill would take effect September 1, 2017.

**SUPPORTERS
SAY:**

CSHB 1285 would ease the administrative burden of investigating deaths that are not suspicious by allowing medical examiners in large counties to delegate authority for completing death certificates to attending physicians. The bill would apply only to natural deaths as determined by the medical examiner after an initial inquest. This would save counties money and avoid undue hardships for recently bereaved families.

The committee substitute would allow doctors to decline this delegation of authority for any reason, so it would not place an undue burden on those who did not wish to complete the certification of death.

**OPPONENTS
SAY:**

No apparent opposition.

NOTES:

The committee substitute differs from the filed bill in that CSHB 1285 would require the attending physician's consent to receive delegation of death certification.

A companion bill, SB 335 by West, was referred to the Senate Criminal Justice Committee on January 30.