

MAINE STATE LEGISLATURE

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126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 252

S.P. 88

In Senate, February 5, 2013

An Act Regarding Registration and Correction of Death Information on Death Certificates

Submitted by the Department of Health and Human Services pursuant to Joint Rule 204.
Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator CRAVEN of Androscoggin.
Cosponsored by Representative SIROCKI of Scarborough and
Representatives: FARNSWORTH of Portland, MALABY of Hancock.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 22 MRSA §2842, sub-§§3 and 4**, as amended by PL 2009, c. 601, §25,
3 are further amended to read:

4 **3. Medical certificate by medical examiner or the Office of the Chief Medical**
5 **Examiner.** When a death occurs under circumstances that make it a medical examiner
6 case as defined in section 3025, or when inquiry as to the cause of death is required by
7 law, the medical examiner or the Office of the Chief Medical Examiner shall complete
8 the medical certification of the cause of death as specified by department rule and sign
9 the death certificate. A certification need not be completed before the remains are ready
10 for release.

11 The medical examiner or the Office of the Chief Medical Examiner is responsible for the
12 identity of the deceased and the time, date, place, cause, manner and circumstances of
13 death on the death certificate. Entries may be left "pending" if further study is needed; or,
14 at the specific direction of the Attorney General relative to cases under investigation by
15 the Attorney General's office, entries must be left "withheld" until such time as the
16 Attorney General, in the Attorney General's sole discretion, determines that any criminal
17 investigation and prosecution will not be harmed by public disclosure of such
18 information. Notwithstanding section 2706, subsection 4, unless directed otherwise by
19 the Attorney General as specified in this subsection, this information for which the
20 medical examiner is responsible may be made available to the general public by the
21 Office of the Chief Medical Examiner.

22 **4. Correction of errors on death statistic records filed under chapter 711.**
23 Certificates of death in medical examiner cases, as defined in section 3025, may be
24 completed or amended at any time by means described in rule by the department to the
25 Office of the Chief Medical Examiner. Either the Chief Medical Examiner or the medical
26 examiner assigned to the case may sign the forms or submit an electronic amendment or
27 file a certificate using the electronic death registration system in accordance with section
28 2847. A person authorized by the Chief Medical Examiner may amend a certificate of
29 death with respect to the time, date, place and circumstances of death. The medical
30 examiner assigned shall submit the form or electronic amendment to the Office of the
31 Chief Medical Examiner for filing with the State Registrar of Vital Statistics. These
32 forms or electronic amendments may be filed at any time after death and need not include
33 a summary description of the evidence in support of the completion or amendment.

34 **SUMMARY**

35 This bill adds the Office of the Chief Medical Examiner as a certifier of cause of
36 death on a death certificate to accommodate the electronic death registration system. It
37 also permits the Office of the Chief Medical Examiner to electronically submit
38 amendments to the death certificate using the electronic death registration system.