

SENATE BILL 66

J1, J2

(PRE-FILED)

8lr0626
CF 8lr3518

By: **Senators Simonaire, Young, Mathias, Eckardt, and Ready**

Requested: September 17, 2017

Introduced and read first time: January 10, 2018

Assigned to: Finance

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 6, 2018

CHAPTER _____

1 AN ACT concerning

2 **Health – Vital Statistics – Veteran and Armed Services Member Suicide**
3 **Reporting**

4 FOR the purpose of ~~altering the information that is required on a certificate of death to~~
5 ~~include, under certain circumstances, whether the decedent was ever a member of~~
6 ~~the armed forces of the United States;~~ requiring the Secretary of the Maryland
7 Department of Health to publish an annual report on ~~veteran suicide~~ the suicides of
8 veterans and members currently serving in the armed services of the United States;
9 limiting the information that may be included in the report; requiring that the report
10 contain aggregate information for a certain period of time; requiring the Secretary
11 to submit the report to the State Department of Veterans Affairs and certain
12 committees of the General Assembly on or before a certain date each year; providing
13 for the termination of this Act; and generally relating to reporting on veteran and
14 armed services member suicide.

15 ~~BY repealing and reenacting, without amendments,~~
16 ~~Article – Health – General~~
17 ~~Section 4-212 (a) and (c)~~
18 ~~Annotated Code of Maryland~~
19 ~~(2015 Replacement Volume and 2017 Supplement)~~

20 BY repealing and reenacting, with amendments,
21 Article – Health – General
22 Section ~~4-212(b)~~ and 4-219

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Annotated Code of Maryland
2 (2015 Replacement Volume and 2017 Supplement)

3 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
4 That the Laws of Maryland read as follows:

5 **Article – Health – General**

6 ~~4-212.~~

7 ~~(a) This section does not apply to a fetal death.~~

8 ~~(b) (1) A certificate of death regardless of age of decedent shall be filled out
9 and signed by:~~

10 ~~(i) The medical examiner, if the medical examiner takes charge of
11 the body; or~~

12 ~~(ii) If the medical examiner does not take charge of the body, the
13 physician, physician assistant, or nurse practitioner who last attended the deceased.~~

14 ~~(2) The medical examiner, physician, physician assistant, or nurse
15 practitioner shall fill in only the following information on the certificate of death:~~

16 ~~(i) The name of the deceased;~~

17 ~~(ii) The cause of death and medical certification;~~

18 ~~(iii) The date and hour of death; [and]~~

19 ~~(iv) The place where death occurred; AND~~

20 ~~(v) IF KNOWN, WHETHER THE DECEDENT WAS EVER A MEMBER
21 OF THE ARMED FORCES OF THE UNITED STATES.~~

22 ~~(3) Any other information that is required on the certificate of death
23 regardless of age of decedent shall be filled in:~~

24 ~~(i) By the person who has charge of the body; or~~

25 ~~(ii) If the State Anatomy Board has charge of the body, by the person
26 who last had charge of the body before it was sent to the State Anatomy Board.~~

27 ~~(4) The medical certification shall be completed within 24 hours after
28 receipt of the death certificate by the physician, physician assistant, or nurse practitioner
29 in charge of the patient's care for the illness or condition which resulted in death, except
30 when inquiry is required by the medical examiner.~~

1 ~~(5) In the absence or inability of the attending physician, physician~~
2 ~~assistant, or nurse practitioner or with the attending physician's, physician assistant's, or~~
3 ~~nurse practitioner's approval, the certificate may be completed by:~~

4 ~~(i) The attending physician's associate;~~

5 ~~(ii) The chief medical officer or designee of the institution in which~~
6 ~~death occurred; or~~

7 ~~(iii) The physician who performed an autopsy upon the decedent,~~
8 ~~provided the individual has access to the medical history of the case and death is due to~~
9 ~~natural causes.~~

10 ~~(6) The person completing the cause of death and medical certification~~
11 ~~shall attest to the accuracy by signature or by an approved electronic process.~~

12 ~~(7) The funeral director or person acting as the funeral director shall in all~~
13 ~~cases obtain the medical certification from the person responsible for its completion or~~
14 ~~obtain assurance that the medical certification has been provided to the Secretary by an~~
15 ~~approved electronic process.~~

16 ~~(e) Each individual concerned with carrying out this subtitle promptly shall~~
17 ~~notify the medical examiner if:~~

18 ~~(1) The deceased was not under treatment by a physician, physician~~
19 ~~assistant, or nurse practitioner during the terminal illness;~~

20 ~~(2) The cause of death is unknown; or~~

21 ~~(3) The individual considers any of the following conditions to be the cause~~
22 ~~of death or to have contributed to the death:~~

23 ~~(i) An accident, including a fall with a fracture or other injury;~~

24 ~~(ii) Homicide;~~

25 ~~(iii) Suicide;~~

26 ~~(iv) Other external manner of death;~~

27 ~~(v) Alcoholism; or~~

28 ~~(vi) Criminal or suspected criminal abortion.~~

1 (a) At least annually, the Secretary shall:

2 (1) Publish a report of vital statistics, including population estimates; and

3 (2) Print and distribute the report to any official, agency, library, or other
4 person whom the Secretary considers entitled to the report.

5 (b) In addition to the requirements of subsection (a) of this section, by June 30 of
6 each year the Secretary shall report to the Morbidity, Mortality, and Quality Review
7 Committee established under § 18–107 of this article on the number and cause of death of
8 Maryland children under the age of 1 year who died during the prior calendar year ending
9 December 31st.

10 (c) In addition to the requirements of subsections (a) and (b) of this section, within
11 24 hours of notification of a death, the Secretary shall report to the Mortality and Quality
12 Review Committee any death of an individual who at the time of death was:

13 (1) An individual with a developmental disability, as defined in § 7–101(f)
14 of this article, who resided in or was receiving services from any program or facility licensed
15 or operated by the Developmental Disabilities Administration; or

16 (2) An individual with a mental illness who resided in or was receiving
17 services from any program or facility approved, licensed, or operated by the Behavioral
18 Health Administration.

19 **(D) (1) IN ADDITION TO THE REQUIREMENTS OF SUBSECTIONS (A)**
20 **THROUGH (C) OF THIS SECTION, THE SECRETARY SHALL PUBLISH AN ANNUAL**
21 **REPORT ON ~~VETERAN SUICIDE~~ THE SUICIDES OF:**

22 **(I) VETERANS; AND**

23 **(II) MEMBERS CURRENTLY SERVING IN THE ARMED SERVICES**
24 **OF THE UNITED STATES.**

25 **(2) THE REPORT MAY INCLUDE ONLY INFORMATION REGARDING THE**
26 **AGE, SEX, RACE OR ETHNICITY, NATURE OF SERVICE IF KNOWN, AND METHOD OF**
27 **SUICIDE OF THE VETERAN OR ARMED SERVICES MEMBER.**

28 **(3) THE REPORT SHALL INCLUDE AGGREGATE INFORMATION FOR**
29 **THE LESSER OF:**

30 **(I) THE PREVIOUS 5 YEARS; OR**

31 **(II) THE TOTAL NUMBER OF YEARS FOR WHICH INFORMATION**
32 **IS AVAILABLE.**

1 ~~(3)~~ (4) ON OR BEFORE DECEMBER 1, ~~2019, AND EACH DECEMBER~~
2 ~~1 THEREAFTER~~ EACH YEAR, THE SECRETARY SHALL SUBMIT THE REPORT TO THE
3 STATE DEPARTMENT OF VETERANS AFFAIRS AND, IN ACCORDANCE WITH § 2-1246
4 OF THE STATE GOVERNMENT ARTICLE, THE SENATE EDUCATION, HEALTH, AND
5 ENVIRONMENTAL AFFAIRS COMMITTEE, THE SENATE FINANCE COMMITTEE, AND
6 THE HOUSE HEALTH AND GOVERNMENT OPERATIONS COMMITTEE.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 October 1, 2018. It shall remain effective for a period of 3 years and 3 months and, at the
9 end of December 31, 2021, this Act, with no further action required by the General
10 Assembly, shall be abrogated and of no further force and effect.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.