



Matters of Record

Special Edition

News from the Center for Health Statistics Concerning the Oregon Death Certificate

Issue: Special Edition

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SPECIAL EDITION ON HB2093 IMPLEMENTATION

The Center for Health Statistics (CHS) has been providing information on the Vital Records Modernization bill since introduced to the 2013 Oregon Legislature. The purpose of this special edition newsletter concerning the Oregon report of death is to provide information and resources to implement the changes in law and rules. Throughout this newsletter we will use the updated language of *report of death* and *record of death*. Since the information exists in a single system before and after registration, we use 'report' for the information before registered and 'record' for the complete, officially accepted information.

Doctors from bordering states can sign

This is likely the easiest implementation available. Just stop doing the extra work of trying to identify an Oregon doctor, nurse practitioner or physician assistant to sign the report of death before having the primary care provider in Washington, Idaho or California do so.

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UPDATE ON MARITAL STATUS

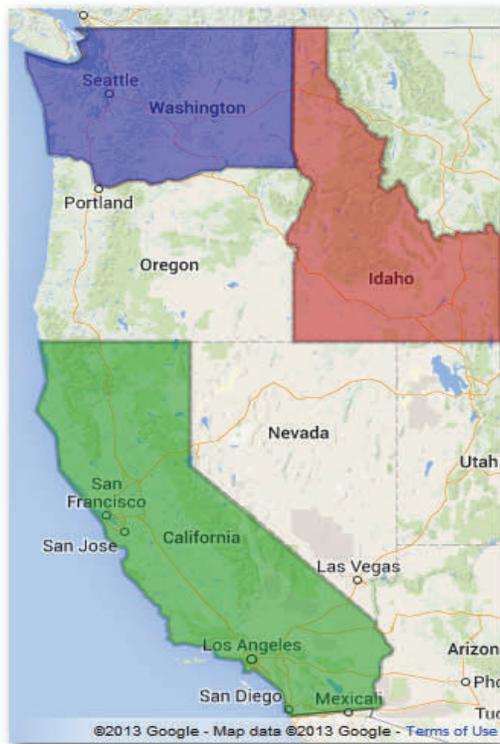
Effective immediately, decedents who were married in a state that allows marriage between persons of the same sex should have the decedent's marital status reflect 'married' on the death record and the spouse should be listed. Records may be amended with an affidavit and proof of marriage.

This changes the policy recently reported in the August 2013 newsletter.

Please contact JoAnn Jackson, Registration Manager, at joann.jackson@state.or.us or 971-673-1160 if you have any questions.

Archived articles online





Process for amendments to death records

New law and rules clarify responsibility and authority to amend records. One area of significant change is amending marital status at time of death and the spouse's name. This item is very important for legal rights to inheritances, eligibility of survivor benefits for pensions and social security, and possibly liability for debts. The new rule, OAR 333-011-0300, details the evidence required for specific situations (see attached flow diagram).

Using (5) of the flow diagram as an example, the informant has agreed to the amendment and the record currently shows decedent as widowed and spouse is blank on the record. ((5) refers to the subsection of the rule). To correct the record to married and list the spouse, CHS would receive

- A correction affidavit from the informant,
- An affidavit from the spouse, and

- A certified copy of the marriage record.

The funeral home is not responsible for and cannot submit the amendment under the funeral director's name unless the funeral home made the error when entering information provided by the informant. This type of correction is supported by subsection (9) of the rule. We hope this removes the funeral home from disputes between family members for this specific item.

We will also be changing the correction affidavit form to separate those by licensed data providers (funeral home and medical certifier) *which do not require notarized signatures* and those by the informant and next of kin.

Order forms required at county

Frequently funeral homes are not completing order forms when submitting the report of death to the county vital records office. This is most likely because the specific record is already identified, eligibility is assumed, and the purpose is generalized to legal needs of the family. Under the new law, an application must be received for all issuances. We have developed an order form specific to funeral homes (attached). The order form will be a fillable pdf and funeral homes can key the funeral home name, address and telephone number once, then save that form for future use. **This form is out for review and suggestions are welcome.** All suggestions must be received by November 29th for the version of the order form that will be in effect on January 1, 2014.

The form requires only county of death, decedent's name and date of death to order.

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Special edition on HB2093 (Continued from page 2)

In addition, the form supports other provisions of the law including short certified copies for property transfer and proof of application for veterans' copies.

Short form certified copies only for property transfers in Oregon

To facilitate appropriate use of short form certified copies, we have included a brief description of uses on the order form. Our intent is that the funeral director reviews the order form with the family to determine the type of certified copies needed.

The county clerk must have certified copies without cause of death for certified copies issued after January 1, 2014 if the death occurred after 1977. We have attached the handout provided to the county clerks for public use on this point.

Free veterans' copies require proof of application

HB 2093 requires proof of application to support the need for the free certified copies for veterans' benefits. These certified copies should never be given to the family. We have found that families do not understand the legal limitation of the 'Veterans Use Only' certified copies and attempt to use the certified copies for general purposes.

In support of this need, the funeral home order form includes a statement by the funeral director (initialed) that he or she has confirmed there is an application for veterans' benefits pending that requires a certified copy. One copy will be sent to the county veterans' services officer and one copy will be sent to the national veterans' services officer, as marked on the form.

24 hour receipt of body card still required

See both post card forms on Page 4

Although the public abstract of death ends December 31, 2013, the notice to the vital records office in the county where death occurred remains. The postcard-sized form now serves only as the notice of receipt of body. Initial supplies are being sent to each funeral home in Oregon by mid-November. Please use the existing form for deaths occurring through December 31, 2013 and the new forms effective January 1, 2014.

By law, this form is to be sent to the county within 24 hours of receipt of the body. Funeral homes should not hold the form until submitting the report of death to the county. On average, the report of death arrives at the county vital records' offices six to ten days after the date of death. This is well beyond the 24 hours notice required by law.

How to find the report of death in OVERS if hospital starts record

Hospitals have the ability and legal right to start the report of death in OVERS. We know it is often difficult to match up to reports started by Medical Examiners and expect this same difficulty with hospital deaths. To minimize the impact, we are asking hospitals to wait for the funeral home to start the death record. If the hospital chooses to start the report of death, we are asking for a standard practice of printing a working copy from OVERS to accompany the body to the funeral home. This would provide the exact name and date of death to find the record (under Start/edit new case since not yet 'owned') in OVERS.

If you think the hospital has started the report of death and you cannot identify the record in OVERS, you are always welcome to call the OVERS help desk for assistance.

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Limitations on providing certified copies of death

There are two provisions, one in law and one in proposed rule, limiting the funeral home purchase of certified copies.

- *Two years from date of death*

The funeral home can order certified copies of the record of death based solely on their role as the funeral home of record for two years after the date of death. After that, the funeral home can assist families if they choose to do so, but the family member must

order the certified copies directly from the state.

- *Certified copies ordered only on behalf of those eligible to order for themselves*

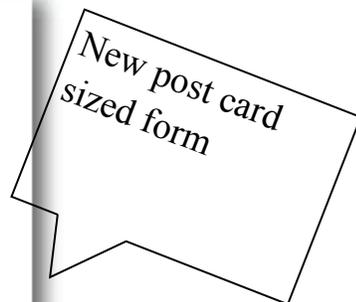
We do not anticipate a change in current process for funeral homes who order for family members, informants, and possibly for insurance payable directly to the funeral home. All of these groups and purposes are supported in law as immediate family or protection of a property right. ❖



24-HOUR NOTICE OF RECEIPT OF BODY
Public Health Division — Center for Health Statistics
This report must be sent to the registrar of the county in which death occurred within 24 hours of taking possession of the body.

Full name of deceased:	
Date of death:	County of death:
Place of death (street, city or institution):	
Funeral home name and address:	Medical examiner notified? <input type="checkbox"/> Yes <input type="checkbox"/> No
Date report filed:	Date report sent to state:
Local file number (optional):	I.D. tag number:
Disposition permit received? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, date received:	
<input type="checkbox"/> Check if fetal death	Mother's name from Report of Fetal Death:

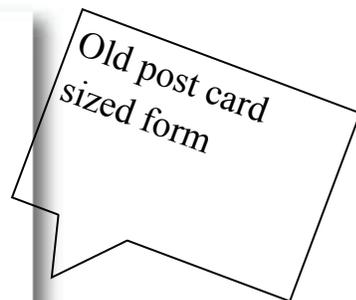
45-108 (01/14)



REPORT AND ABSTRACT OF DEATH
Public Health Division — Center for Health Statistics
This report must be sent to the registrar in the county in which death occurred within 24 hours of taking possession of the body. ORS 432.317 (1)

Name of deceased:	<input type="checkbox"/> Check if fetal death
Date of death:	County of death:
Place of death (street, city or institution):	
Funeral home name and address:	M.E.: <input type="checkbox"/> Yes <input type="checkbox"/> No
FOR REGISTRAR USE	
Date certificate filed:	Local number:
Date certificate sent to state:	Tag number:
Name of spouse:	Permit received? <input type="checkbox"/> Yes <input type="checkbox"/> No Date received:

THIS IS NOT A VALID CERTIFICATE OF DEATH AND THIS INFORMATION MAY DISAGREE WITH THE LEGAL DEATH CERTIFICATE. 45-108 (10/10)



Wanted—Newsletter topics

Have a question or idea for a future newsletter article? Contact Judy Shioishi, at 971-673-1166 or judy.shioishi@state.or.us. Judy collects ideas for articles and then shares them with the writing team.

We're just a phone call way

Have a question? Try asking one of the helpful CHS staff listed below.

Frequent Contacts

CHS Managers

Cause of Death Melissa Franklin 971-673-1144	OVERS Helpdesk 971-673-0279	State Registrar Jennifer Woodward 971-673-1185	OVERS Manager Karen Hampton 971-673-1191
Death Corrections Patty Thompson 971-673-1163		Amendments/Certification Manager Carol Sanders 971-673-1178	Data Processing Supervisor Cynthia Roeser 971-673-0478
		Statistics Manager Joyce Grant-Worley 971-673-1156	Certification Supervisor Karen Rangan 971-673-1182
		Registration Manager JoAnn Jackson 971-673-1160	

The Center for Health Statistics' office is located at:

800 N.E. Oregon St., Suite 225
 Portland, OR 97232-2162

Mailing Address: P.O. Box 14050
 Portland, OR 97293-0050

General Information: 971-673-1180

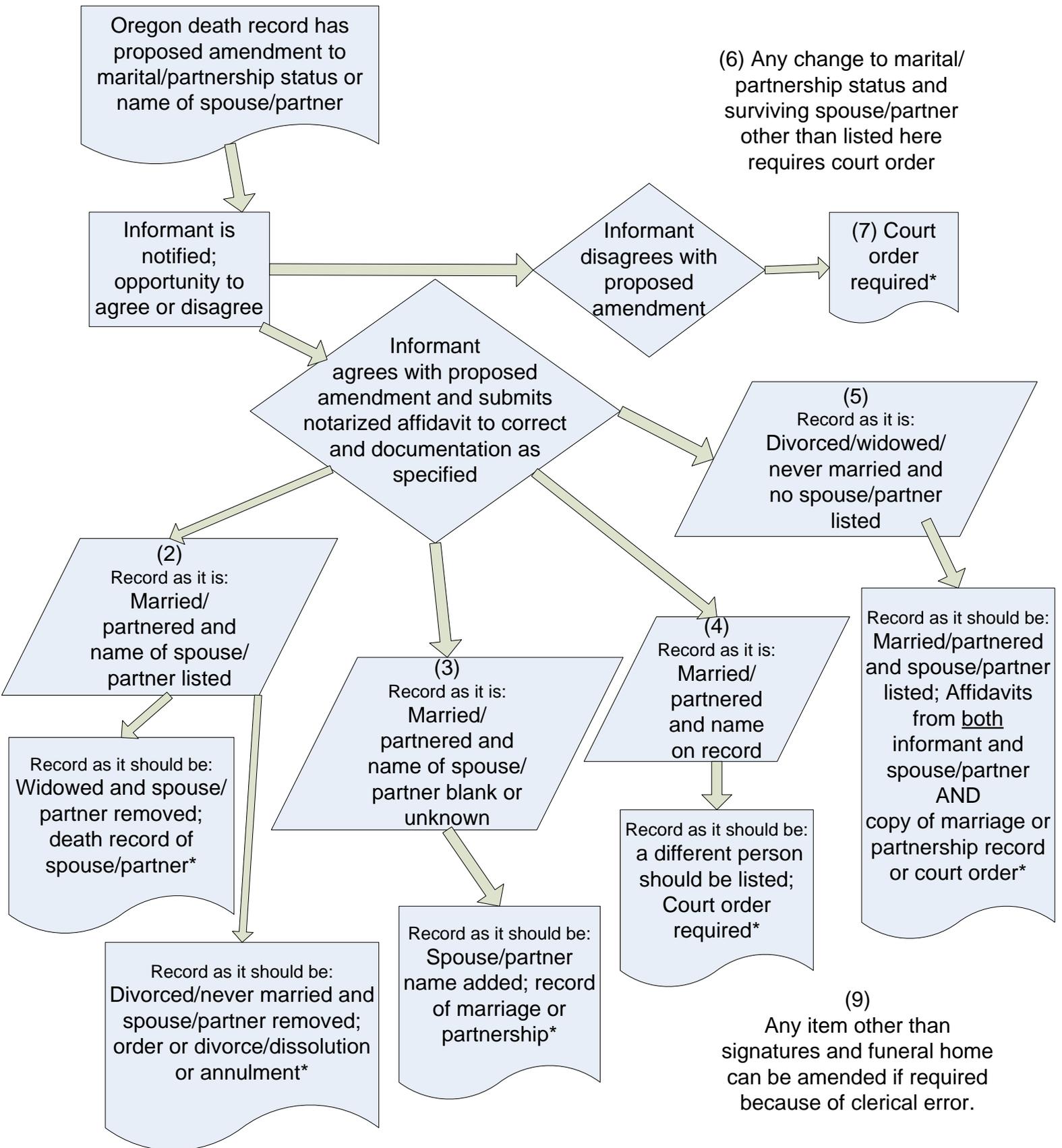
To Order Vital Records: 1-888-896-4988

Website: <http://public.health.oregon.gov/PHD/ODPE/CHS>

OVERS website: <http://public.health.oregon.gov/BirthDeathCertificates/RegisterVitalRecords/overs/Pages/index.aspx>



OAR 333-011-0300 Amendments to death records; (2)-(7) marital status and spouse's name



* Documents used to change death record must reflect events that occurred prior to the decedent's date of death. All copies of record used to amend death records must be certified copies from vital records or court certified copies of court orders.

Funeral home order for certified copies of death record

County where death occurred: _____

Decedent's name: _____

Date of death: _____ (must be within two years of date of death)

Certified copies:

Quantity

_____ Short/fact of death (used for property transfer, termination of accounts, landlords, and other legal needs unrelated to cause of death)

_____ Long with cause of death (used for insurance and other benefit claims related to cause of death)

_____ Veteran's copy I have confirmed there is an application pending that requires a certified copy of the death record. _____ (initials)

Send to county veterans services

Name: _____

Address: _____

Send to national service officer

Name: _____

Address: _____

Relationship to decedent: Funeral home on record

Reason for needing record: Legal needs of informant/family

Funeral home name: Prefilled by funeral home and saved

Address: Prefilled by funeral home and saved

Telephone: Prefilled by funeral home and saved

Will pick up

Person receiving (signature)

Date

Mail certified copies to funeral home

informant/family (name and address below)

Name: _____

Address: _____

Date county mailed _____

‘Short’ Certified Copies of Death Records for Property Transfers

In June 2013, the Oregon Legislature passed House Bill 2093 known as the Vital Records Modernization bill. This bill takes effect January 1, 2014. One of the provisions of the law requires that certified copies of death records used to transfer property not include cause of death information.

Why not include cause of death information?

Death records are confidential in Oregon. Property records are public information. To meet both needs as well as we can, certified copies of death must have the information necessary to identify the property owner (name, date of birth, spouse’s name, parents’ names) and not include information that does not affect the property transfer (cause of death, tobacco use, pregnancy in past year). Since the certified copy of the death record is maintained with the property records, it must be a short form without cause of death information.

This new requirement applies to all certified copies submitted to transfer property in Oregon where:

- The death occurred after 1977 and
- The death occurred in Oregon and
- The certified copy is issued after January 1, 2014.

Certified copies that do not include cause of death information, also called ‘short’ forms, are available from the same sources as certified copies that include cause of death information (long forms). The county where the death occurred can issue certified copies up to six months after date of event and the state vital records office issues certified copies at all times. There is no difference in cost between a short form and a long form.

The Center for Health Statistics has information on HB 2093 available online at <http://public.health.oregon.gov/BirthDeathCertificates/Pages/hb2093.aspx>. If you have questions about the new law, you can contact Karen Hampton at Karen.R.Hampton@state.or.us or by telephone 971-673-1191.