

KANSAS OFFICE *of*
REVISOR *of* STATUTES

LEGISLATURE *of* THE STATE *of* KANSAS
Legislative Attorneys transforming ideas into legislation.

300 SW TENTH AVENUE ■ SUITE 24-E ■ TOPEKA, KS 66612 ■ (785) 296-2321

MEMORANDUM

To: Chairperson Thompson
Members of the Senate Committee on Federal and State Affairs

From: The Office of Revisor of Statutes

Date: March 18, 2024

Subject: HB 2358 – Certifications of cause of death.

House Bill No. 2358 (HB 2358) would amend two statutes under the Uniform Vital Statistics Act to expand the qualifications of individuals who can certify the cause of death of an individual. Under current law, the funeral director overseeing the disposition of the body of a deceased individual is required to file the death certificate with the Office of Vital Statistics. The funeral director must also obtain the certification of the cause of death of such individual from the physician who last attended the deceased.

HB 2358 would amend K.S.A. 65-2412 to permit the certification of cause of death to be completed by a cause of death certifier. The bill amends K.S.A. 65-2401 to define a “cause of death certifier” as: A licensed physician; licensed physician assistant; licensed advanced practice registered nurse; district coroner; deputy coroner; or special deputy coroner. Any of these individuals could complete the certification of cause of death. However, current law provides that if the death occurred without any medical provider in attendance or if an inquiry as to the cause of death is required, then the coroner is responsible for investigating the death and completing the certification of cause of death.

In addition to adding the definition for “cause of death certifier,” the House Committee on Federal and State Affairs also amended HB 2358 to include a liability immunity provision for cause of death certifiers who complete the certification in good faith.

HB 2358 pass the House on a final action vote of 106-9.

If enacted, HB 2358 would become effective on July 1, 2024.