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HEALTH AND SAFETY CODE - HSC

DIVISION 102. VITAL RECORDS AND HEALTH STATISTICS [102100 - 103925] (*Division 102 added by Stats. 1995, Ch. 415, Sec. 4.*)

PART 1. VITAL RECORDS [102100 - 103800] (*Part 1 added by Stats. 1995, Ch. 415, Sec. 4.*)

CHAPTER 6. Death Registration [102775 - 102938] (*Chapter 6 added by Stats. 1995, Ch. 415, Sec. 4.*)

ARTICLE 1. Duty of Registering Death [102775 - 102805] (*Article 1 added by Stats. 1995, Ch. 415, Sec. 4.*)

102775. Each death shall be registered with the local registrar of births and deaths in the district in which the death was officially pronounced or the body was found, within eight calendar days after death and prior to any disposition of the human remains.

(*Added by Stats. 1995, Ch. 415, Sec. 4. Effective January 1, 1996.*)

102778. (a) On or before January 1, 2005, the department shall implement an Internet-based electronic death registration system for the creation, storage, and transfer of death registration information.

(b) The electronic death registration system implemented pursuant to this section shall protect the proper use of the death registration information created, stored, and transferred within the system.

(c) The electronic death registration system that is implemented pursuant to this section shall be subject to any limitation placed on the accessibility and release of personally identifying information contained in those death records by any other provision of law or subsequently enacted legislation.

(*Added by Stats. 2002, Ch. 857, Sec. 1. Effective January 1, 2003.*)

102780. A funeral director, or person acting in lieu thereof, shall prepare the certificate and register it with the local registrar.

(*Added by Stats. 1995, Ch. 415, Sec. 4. Effective January 1, 1996.*)

102785. The State Registrar, at his or her discretion, may incorporate computer or telephone facsimile technology, or both, in the statewide program of death and fetal death registration, including, but not limited to, the issuing of permits for disposition of human remains.

Nothing in this section shall limit the ability of local districts to file certificates of death and fetal death manually within the local registration districts.

(*Added by Stats. 1995, Ch. 415, Sec. 4. Effective January 1, 1996.*)

102790. The funeral director shall obtain the required information other than medical and health section data from the person or source best qualified to supply this information.

(*Added by Stats. 1995, Ch. 415, Sec. 4. Effective January 1, 1996.*)

102791. (a) (1) The State Department of Public Health shall access data within the electronic death registration system implemented pursuant to Section 102778 to compile a report on veteran suicide in California. The report shall include, but may not be limited to, information on the ages, sexes, races or ethnicities, counties of residence, and methods of suicide of veterans.

(2) The report shall include a cross-tabulation of the data specified in paragraph (1), and shall compare the data to the data from the previous year.

(b) (1) The department shall, notwithstanding Section 10231.5 of the Government Code, annually provide the report compiled pursuant to subdivision (a) to the Legislature and the Department of Veterans Affairs on or before March 15 each year.

(2) A report to be submitted pursuant to paragraph (1) shall be submitted in compliance with Section 9795 of the Government Code.

(Amended by Stats. 2020, Ch. 77, Sec. 1. (AB 3371) Effective January 1, 2021.)

102792. (a) (1) The State Department of Public Health shall access data within the electronic death registration system implemented pursuant to Section 102778 to compile a report on veteran drug overdose deaths in California. The report shall include, but may not be limited to, information on the ages, sexes, races or ethnicities, counties of residence, and drug or drugs causing overdose deaths of veterans.

(2) The report shall include a cross-tabulation of the data specified in paragraph (1) and shall compare the data to the data from the previous year.

(b) (1) Notwithstanding Section 10231.5 of the Government Code, the department shall annually provide the report compiled pursuant to subdivision (a) to the Legislature and the Department of Veterans Affairs on or before March 15 each year.

(2) A report submitted pursuant to paragraph (1) shall be submitted in compliance with Section 9795 of the Government Code.

(c) The California Overdose Surveillance Dashboard, maintained by the State Department of Public Health on its internet website, shall be updated to reflect veteran status in information reported about deaths.

(Amended by Stats. 2024, Ch. 80, Sec. 95. (SB 1525) Effective January 1, 2025.)

102795. The medical and health section data and the time of death shall be completed and attested to by the physician and surgeon last in attendance, or in the case of a patient in a skilled nursing or intermediate care facility at the time of death, by the physician and surgeon last in attendance or by a licensed physician assistant under the supervision of the physician and surgeon last in attendance if the physician and surgeon or licensed physician assistant is legally authorized to certify and attest to these facts, and if the physician assistant has visited the patient within 72 hours of the patient's death. In the event the licensed physician assistant certifies the medical and health section data and the time of death, then the physician assistant shall also provide on the document the name of the last attending physician and surgeon and provide the coroner with a copy of the certificate of death. However, the medical health section data and the time of death shall be completed and attested to by the coroner in those cases in which he or she is required to complete the medical and health section data and certify and attest to these facts.

(Added by Stats. 1995, Ch. 415, Sec. 4. Effective January 1, 1996.)

102800. The medical and health section data and the physician's or coroner's certification shall be completed by the attending physician within 15 hours after the death, or by the coroner within three days after examination of the body.

The physician shall within 15 hours after the death deposit the certificate at the place of death, or deliver it to the attending funeral director at his or her place of business or at the office of the physician.

(Added by Stats. 1995, Ch. 415, Sec. 4. Effective January 1, 1996.)

102805. An embalmer may authorize his or her signature to be affixed to the certificate after he or she has embalmed a body, as required by this chapter, by a written special power of attorney that shall be retained for a period of one year.

(Added by Stats. 1995, Ch. 415, Sec. 4. Effective January 1, 1996.)