

- SUBJECT:** Notifying next of kin when non-pending death certificates are modified
- COMMITTEE:** Public Health — committee substitute recommended
- VOTE:** 10 ayes — Klick, Guerra, Allison, Campos, Collier, Jetton, Oliverson, Price, Smith, Zwiener
- 0 nays
- 1 absent — Coleman
- WITNESSES:** For — Shannon Dion, Secure Our Seniors' Safety; Cheryl Pangburn; (*Registered, but did not testify:* Charles Reed, Dallas County Commissioners Court)
- Against — (*Registered, but did not testify:* Melissa Shannon, Bexar County Commissioners Court)
- On — (*Registered, but did not testify:* Tara Das, Department of State Health Services; Russell Schaffner, Tarrant County; Clayton Stewart, Texas Medical Association)
- BACKGROUND:** Health and Safety Code ch. 193 requires the Department of State Health Services to prescribe the form and contents of death certificates.
- DIGEST:** CSHB 723 would require written notice to be provided to a decedent's next of kin when a request was made to modify the medical certification information on a non-pending death certificate. The person who submitted the request to the Department of State Health Services would have to provide the notice.
- The bill would take effect September 1, 2021, and would apply only to a death certificate for which an amendment was requested on or after the bill's effective date.
- SUPPORTERS** CSHB 723 would ensure a decedent's next of kin would be directly

SAY: notified by a professional of any changes made to a non-pending death certificate. Concerns have been raised about the lack of requirement for such notification when the cause of death is amended on a death certificate. CSHB 723 would provide a simple, timely courtesy to grieving families and help prevent situations in which families discovered a decedent's true cause of death secondhand.

Some reports indicate that the bill would apply only to a small number of death certificates. The bill's fiscal note indicates that no significant fiscal implication to the state or units of local government would be anticipated.

CRITICS SAY: CSHB 723 would require that next of kin be notified whenever a non-pending death certificate was changed, a requirement that could affect a large number of death certificates. To meet the bill's requirements, larger metropolitan counties could have to hire additional staff, which could increase administrative costs. To reduce counties' administrative burden and narrow the scope of CSHB 723, it could be better if the bill applied only to non-pending death certificates that were changed to reflect that the decedent died by homicide.