**R436. Health and Human Services, Data, Systems, and Evaluation, Vital Records and Statistics.**

**R436-7. Death Registration.**

**R436-7-1. Authority and Purpose.**

(1) Sections 26B-8-101, 26B-8-114, and 26B-8-123 authorize this rule.

(2) This rule sets forth:

(a) procedures for the registration of death;

(b) the requirements for physicians, physician assistants, certified nurse midwives, and nurse practitioners to certify deaths; and

(b) the responsibility of local registrars to review and register deaths in their area.

**R436-7-2. Registering a Death.**

(1) Registration of deaths shall occur within five days measured as 120 hours from the time of death.

(2) A physician, physician assistant, certified nurse midwife, or nurse practitioner shall certify the cause of death in accordance with Section 26B-8-114.

(3) Each physician assistant, certified nurse midwife, and nurse practitioner must complete the Center for Disease Control and Prevention training "Improving Cause of Death Reporting," available through Training and Continuing Education Online (TCEO), before certifying a death.

(4) If the information necessary to complete a death registration is not available within the time prescribed for completing the death registration, the funeral director shall complete the death registration with the information that is available.

(5) In each case, the medical certification shall be certified in the Vital Records death registration system by the person responsible for that certification.

(6) If the cause of death is unknown, undetermined, or pending investigation, the cause of death shall be shown as such on the certificate.

(7) Final disposition of the deceased may not be made until the death is registered or is authorized by the medical examiner.

(8) An amendment providing the information missing from the original death registration and certificate shall be filed with the State Registrar.

**R436-7-3. Registration of Certificates by Local Registrars.**

(1) A local registrar shall take appropriate action to ensure that any death occurring in the registrar's registration area is registered.

(2)(a) The local registrar or designee shall check the accuracy of data entered into the Vital Records death registration system in accordance with the written instructions issued by the state registrar.

(b) To ensure accuracy, the local registrar or designee shall cross-check among items.

(3) The originators of any incomplete or inaccurate information in the death registration shall be contacted and asked for information to complete the registration.

(4) Once reviewed, the local registrar or designee shall register the death in the Vital Records death registration system.

**R436-7-4. Penalties.**

(1) A funeral director violates this rule and is subject to the penalties provided in Section 26B-1-224, including both administrative and civil penalties, if the funeral director:

(a) dispositions the deceased before the death registration; or

(b) fails to register the death within 120 hours of the death without good cause.

(2) A medical certifier violates this rule and is subject to the penalties provided in Section 26B-1-224, including both administrative and civil penalties, if the medical certifier fails to certify the death within 120 hours of the death without good cause.

(3) Good cause includes receiving the assignment close to or after the 120-hour timeframe.

**KEY: vital statistics, death, funeral industries**

**Date of Last Change: February 18, 2025**

**Notice of Continuation: March 21, 2023**

**Authorizing, and Implemented or Interpreted Law: 26B-8-114; 26B-8-123; 26B-1-224**