

AMENDED IN ASSEMBLY APRIL 7, 2025

CALIFORNIA LEGISLATURE—2025–26 REGULAR SESSION

**ASSEMBLY BILL**

**No. 583**

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**Introduced by Assembly Member Pellerin**

February 12, 2025

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An act to amend Sections 102795, 102800, 102825, 102850, and 102875 of the Health and Safety Code, relating to public health.

LEGISLATIVE COUNSEL'S DIGEST

AB 583, as amended, Pellerin. Death certificates.

Existing law requires that each death 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. Existing law establishes the required contents of the death certificate, including, but not limited to, the decedent's name, sex, race, and other relevant identifying and medical information. Existing law requires that the medical and health section data and the time of death 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, by the physician and surgeon last in attendance or by a licensed physician assistant meeting certain qualifications. Existing law also requires the individuals responsible for completing a death certificate to specify certain information on the certificate, including the time they last saw the deceased person alive. Existing law requires a physician and surgeon, physician assistant, or other specified individuals to immediately notify the coroner when they have knowledge of a death occurring under specified circumstances, including where suicide is suspected. Certain violations of these requirements are a crime.

This bill would *additionally* authorize the medical and health section data and the time of death on a death certificate to be completed and attested to by a licensed nurse practitioner ~~in the case where a patient is in a skilled nursing or intermediate care facility.~~ *last in attendance*. The bill would make additional conforming changes. The bill would also include a licensed nurse practitioner to the group of individuals required to notify the coroner when they have knowledge of a death under certain specified circumstances. Because this bill would expand the application of an existing crime to licensed nurse practitioners, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
 State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 102795 of the Health and Safety Code  
 2 is amended to read:  
 3 102795. (a) The medical and health section data and the time  
 4 of death shall be completed and attested to by the physician and  
 5 surgeon *or licensed nurse practitioner last in attendance*.  
 6 (b) In the case of a patient in a skilled nursing or intermediate  
 7 care facility at the time of death, the medical and health section  
 8 data and the time of death shall be completed and attested to by  
 9 the physician and surgeon ~~last in attendance, by a licensed nurse~~  
 10 ~~practitioner, or licensed nurse practitioner last in attendance~~ or  
 11 by a licensed physician assistant under the supervision of the  
 12 physician and surgeon last in attendance if the physician and  
 13 surgeon or licensed physician assistant is legally authorized to  
 14 certify and attest to these facts, and if the physician assistant has  
 15 visited the patient within 72 hours of the patient's death. In the  
 16 event the ~~licensed nurse practitioner or licensed physician assistant~~  
 17 certifies the medical and health section data and the time of death,  
 18 then the ~~licensed nurse practitioner or~~ physician assistant shall also  
 19 provide on the document the name of the last attending physician  
 20 and surgeon and provide the coroner with a copy of the certificate

1 of death. However, the medical health section data and the time  
2 of death shall be completed and attested to by the coroner in those  
3 cases in which they are required to complete the medical and health  
4 section data and certify and attest to these facts.

5 SEC. 2. Section 102800 of the Health and Safety Code is  
6 amended to read:

7 102800. (a) The medical and health section data and the  
8 physician's, licensed nurse practitioner's, or coroner's certification  
9 shall be completed by the attending physician or licensed nurse  
10 practitioner within 15 hours after the death, or by the coroner within  
11 three days after examination of the body.

12 (b) The physician or licensed nurse practitioner shall within 15  
13 hours after the death deposit the certificate at the place of death,  
14 or deliver it to the attending funeral director at their place of  
15 business or at the office of the physician.

16 SEC. 3. Section 102825 of the Health and Safety Code is  
17 amended to read:

18 102825. (a) The physician and surgeon *or licensed nurse*  
19 *practitioner* last in attendance, or in the case of a patient in a skilled  
20 nursing or intermediate care facility at the time of death, the  
21 physician and surgeon ~~last in attendance, a licensed nurse~~  
22 ~~practitioner, or licensed nurse practitioner last in attendance~~ or a  
23 licensed physician assistant under the supervision of the physician  
24 and surgeon last in attendance, on a deceased person shall state on  
25 the certificate of death the disease or condition directly leading to  
26 death, antecedent causes, other significant conditions contributing  
27 to ~~death~~ *death*, and any other medical and health section data as  
28 may be required on the certificate.

29 (b) The individuals identified in subdivision (a) shall also specify  
30 all of the following on the certificate:

31 (1) The time in attendance.

32 (2) The time they last saw the deceased person alive.

33 (3) The hour and day on which the death occurred, except in  
34 deaths required to be investigated by the coroner.

35 (c) The physician and surgeon, licensed nurse practitioner, or  
36 physician assistant shall specifically indicate the existence of any  
37 cancer as defined in subdivision (h) of Section 103885, of which  
38 the physician and surgeon, licensed nurse practitioner, or physician  
39 assistant has actual knowledge.

1 (d) A physician and surgeon may designate one or more other  
2 physicians and surgeons who have access to the physician and  
3 surgeon's records to act as agent for the physician and surgeon for  
4 purposes of the performance of their duties under this section,  
5 provided that a person so designated acts in consultation with the  
6 physician and surgeon.

7 SEC. 4. Section 102850 of the Health and Safety Code is  
8 amended to read:

9 102850. (a) A physician and surgeon, licensed nurse  
10 practitioner, physician assistant, funeral director, or other person  
11 shall immediately notify the coroner when they have knowledge  
12 of a death that occurred or has charge of a body in which death  
13 occurred under any of the following circumstances:

14 (1) Without medical attendance.

15 (2) During the continued absence of the attending physician and  
16 surgeon.

17 (3) Where the attending physician and surgeon, licensed nurse  
18 practitioner, or the physician assistant is unable to state the cause  
19 of death.

20 (4) Where suicide is suspected.

21 (5) Following an injury or an accident.

22 (6) Under circumstances as to afford a reasonable ground to  
23 suspect that the death was caused by the criminal act of another.

24 (b) A person who does not notify the coroner as required by  
25 this section is guilty of a misdemeanor.

26 SEC. 5. Section 102875 of the Health and Safety Code is  
27 amended to read:

28 102875. The certificate of death shall be divided into two  
29 sections.

30 (a) The first section shall contain those items necessary to  
31 establish the fact of the death, including all of the following and  
32 those other items as the State Registrar may designate:

33 (1) (A) Personal data of the decedent including full name, sex,  
34 color or race, marital status, name of spouse, date of birth and age  
35 at death, birthplace, usual residence, occupation and industry or  
36 business, and whether the decedent was ever in the Armed Forces  
37 of the United States.

38 (B) A person completing the certificate shall record the  
39 decedent's sex to reflect the decedent's gender identity as female,  
40 male, or nonbinary. The decedent's gender identity shall be

1 reported by the informant, unless the person completing the  
2 certificate is presented with a birth certificate, a driver's license,  
3 a social security record, a court order approving a name or gender  
4 change, a passport, an advanced health care directive, or proof of  
5 clinical treatment for gender transition, in which case the person  
6 completing the certificate shall record the decedent's sex as that  
7 which corresponds to the decedent's gender identity as indicated  
8 in that document. If none of these documents are presented and  
9 the person with the right, or a majority of persons who have equal  
10 rights, to control the disposition of the remains pursuant to Section  
11 7100 is in disagreement with the gender identity reported by the  
12 informant, the gender identity of the decedent recorded on the  
13 death certificate shall be as reported by that person or majority of  
14 persons.

15 (C) If a document specified in subparagraph (B) is not presented  
16 and a majority of persons who have equal rights to control the  
17 disposition of the remains pursuant to Section 7100 do not agree  
18 with the gender identity of the decedent as reported by the  
19 informant, any one of those persons may file a petition, in the  
20 superior court in the county in which the decedent resided at the  
21 time of the decedent's death, or in which the remains are located,  
22 naming as a party to the action those persons who otherwise have  
23 equal rights to control the disposition and seeking an order of the  
24 court determining, as appropriate, who among those parties shall  
25 determine the gender identity of the decedent.

26 (D) A person completing the death certificate in compliance  
27 with subparagraph (B) is not liable for any damages or costs arising  
28 from claims related to the sex of the decedent as entered on the  
29 certificate of death.

30 (E) A person completing the death certificate shall comply with  
31 the data and certification requirements described in Section 102800  
32 by using the information available to the person prior to the  
33 deadlines for completion specified in that section.

34 (2) Date of death, including month, day, and year.

35 (3) Place of death.

36 (4) (A) Current first and middle names, birth last names, and  
37 the birthplaces of the parents, without reference to the parents'  
38 gendered relationship to the decedent.

1 (B) The State Registrar shall electronically capture the following  
2 information, which shall not be transcribed onto the actual hard  
3 copy of the death certificate:

- 4 (i) The parents’ relationship to the decedent.
- 5 (ii) Any additional last names used by the parents, if any.

6 (C) The State Registrar shall implement the changes made by  
7 the act that added this subparagraph no later than July 1, 2024.

- 8 (5) Informant.
- 9 (6) Disposition of body information, including signature and  
10 license number of embalmer, if the body is embalmed, or name of  
11 embalmer if affixed by attorney-in-fact; name of funeral director,  
12 or person acting as such; and date and place of interment or  
13 removal. Notwithstanding any other law, an electronic signature  
14 substitute, or some other indicator of authenticity, approved by  
15 the State Registrar may be used in lieu of the actual signature of  
16 the embalmer.

17 (7) Certification and signature of attending physician and  
18 surgeon or licensed nurse practitioner or certification and signature  
19 of coroner when required to act by law. Notwithstanding any other  
20 law, the person completing the portion of the certificate setting  
21 forth the cause of death may attest to its accuracy by use of an  
22 electronic signature substitute, or some other indicator of  
23 authenticity, approved by the State Registrar in lieu of a signature.

24 (8) Date accepted for registration and signature of local registrar.  
25 Notwithstanding any other law, the local registrar may elect to use  
26 an electronic signature substitute, or some other indicator of  
27 authenticity, approved by the State Registrar in lieu of a signature.

28 (b) The second section shall contain those items relating to  
29 medical and health data, including all of the following and other  
30 items as the State Registrar may designate:

- 31 (1) Disease or conditions leading directly to death and  
32 antecedent causes.
- 33 (2) Operations and major findings thereof.
- 34 (3) Accident and injury information.
- 35 (4) Information indicating whether the decedent was pregnant  
36 at the time of death, or within a year prior to the death, if known,  
37 as determined by observation, autopsy, or review of the medical  
38 record. The electronic death registration system shall capture  
39 additional information regarding the pregnancy status of the  
40 decedent consistent with the data elements on the U.S. Standard

1 Certificate of Death. This paragraph shall not be interpreted to  
2 require the performance of a pregnancy test on a decedent, or to  
3 require a review of medical records in order to determine  
4 pregnancy.

5 SEC. 6. No reimbursement is required by this act pursuant to  
6 Section 6 of Article XIII B of the California Constitution because  
7 the only costs that may be incurred by a local agency or school  
8 district will be incurred because this act creates a new crime or  
9 infraction, eliminates a crime or infraction, or changes the penalty  
10 for a crime or infraction, within the meaning of Section 17556 of  
11 the Government Code, or changes the definition of a crime within  
12 the meaning of Section 6 of Article XIII B of the California  
13 Constitution.