

## Texas Vital Statistics

**Goal:** To learn information needed to meet requirements of the Bureau of Vital Statistics, regarding registration of deaths in Texas.

**Objectives:**

- Familiarize you with specific steps for utilizing the Texas Electronic Registrar system for completing a death record
- Provide an understanding of who is responsible for what, and when
- Offer tips on how to avoid common errors

**Table of Contents (Syllabus)**

Goal, Objectives	1
Introduction to TER	2
Certification of Death	14
Information About Other Types of Permits	15
Tips and Reminders	16
Texas Administrative Code Chapter 181	17

If you have any questions about completing or registering the documents discussed in this course, contact the BVS through the information provided below.

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## **INTRODUCTION TO THE TEXAS ELECTRONIC REGISTRAR SYSTEM (TER)**

The Texas Electronic Registrar system, or TER, is a web-based application used for entering electronic vital records for the State of Texas. This system is available online at: <http://ter2.dshs.state.tx.us/edeath>.

### **LOG IN TO TER**

Review these steps to learn how to access the TER system:

1. Open the internet and enter <http://ter2.dshs.state.tx.us/edeath> into the web address bar.
2. Click Enter.
3. Click the Thin Client button on the portal page.
4. Enter the user ID provided by your Local TER Administrator.
5. Enter the password for the user ID. If this is the first time you are entering the TER system or if your password has been recently reset, it is recommended that you change the password.
6. Click the Login button.
7. Click the arrow in the Location field and select the location for which you are processing this record.

### **OBJECTIVES**

**In this section you will learn how to:**

- **create a death record within the Texas Electronic Registrar System, or TER;**
- **complete the demographic information for the record;**
- **designate a Medical Certifier; and**
- **order official copies of a death certificate**

### **CREATING A DEATH RECORD: INTRODUCTION**

 A death certificate is a permanent legal record of an individual's death and is extremely important to the family of the deceased person.

The information recorded on the death certificate is used for:

- application of insurance benefits;
- settlement of pension claims;
- transferring titles of real and personal property; and
- evidence in a court of law.

### **USE OF DEATH RECORDS**

The information on a death certificate also provides important mortality data used in a variety of medical and health related research efforts. Mortality statistics help:

- evaluate diagnostic and therapeutic techniques;
- assess the general health of Texas citizens;
- identify diseases found among specific groups of people;
- determine where medical research may have the greatest impact on reducing mortality;
- define allocation of medical and nursing services;
- follow the course of infectious diseases; and
- ensure accurate, easy to access records which help to reduce fraud related to voting, passports, driver licenses, birth certificates and identity theft.

To support these vital activities, it is very important that all death certificates be completed and filed accurately and promptly.

## **YOUR ROLE IN PROCESSING A DEATH CERTIFICATE**

**Death registration requires a cooperative effort between:**

- **the Funeral Director** or person acting as such;
- **the Medical Certifier**, which may be the Physician that attended the deceased, the primary care Physician, the Medical Examiner, or the Justice of the Peace, depending on the circumstances of death;
- **the Informant** who provides personal, non-medical information about the deceased; and
- **the Local Registrar** who records the death certificate and routes it to the state.

## **THE STEPS FOR PROCESSING A DEATH CERTIFICATE INCLUDE:**

1. **The Funeral Director** or staff completes the demographic information on a death certificate and designates a Medical Certifier;
2. **The Medical Certifier** or staff completes the medical information;
3. **The Medical Certifier**, such as a Physician, Justice of the Peace, or Medical Examiner, electronically certifies the cause of death;
4. **The Funeral Director** demographically verifies the record; and
5. **The Local Registrar** records the death certificate and routes it to the state.



## **STATUTORY REQUIREMENTS**

**'24'--Within 24 hours:** The Funeral Director, or person acting as such, must file a Report of Death with the local registrar within 24 hours of taking custody of a body.

**'5'--Within 5 days:** The certifier must complete the medical certification no later than five (5) days after receiving the death certificate or provide notification to the Funeral Director, or person acting as such, explaining the reason for the delay.

**'10'--Within 10 days:** Death certificates must be filed within ten (10) days from the date of death. If a lengthy investigation is performed, such as an autopsy, the death certificate should be filed as "Pending Investigation" and amended at a later date.

## **DATA ENTRY TIPS**

The TER system has been designed for accuracy and efficient data entry. While you are creating a record, it is necessary to complete the fields, recording detailed information about the death and the decedent in the TER system.

## **TIPS FOR DATA ENTRY WITHIN TER:**

- **Use TAB:** TER supports the "type-tab" data entry method. This means that you can complete a field and then press "Tab" on your keyboard to automatically move to the next field needing data entry. This technique does not require a mouse to move between fields and ensures no fields are skipped.
- **Help Text:** At the top of the screen, just below the demographic tabs, is a blue help box. As your cursor moves into a field, information about completing the field will be displayed in this box.
- **Lists:** Where a pre-defined list of choices is available, an arrow will be available next to the field. Use the up or down arrows to display and move through the list. Hit Enter to select the item.

Clicking the arrow with your mouse will also display the list, allowing you to click on a selection to complete the field.

- **Confirmation of Entry:** For some fields, such as Date of Death, the system will prompt you to re-enter data to ensure critical fields are entered accurately.

**Visual Cues:** Color-Coded fields are provided to help you complete the form easily.

- When information is entered in a yellow field, it becomes white, indicating that the required data was entered.
- Gray fields are either pre-populated with information from the system or disabled and require no action.

**Skip a Field:** To move past an optional field, place the cursor in the field and then press the Tab key to move off of the field and resolve it. A soft edit alert, which allows the user to either resolve a field or to complete it at a later time, may appear.

**Save:** Save frequently when entering data.

 **Time-Out:** If the system has not detected a business transaction, such as saving or searching for a record, within 10 minutes, the login session will "time-out", preventing further interaction with the application. A warning message will display after 8 minutes of inactivity, allowing 2 minutes to confirm you are still working in the system. If a time-out does occur, it is necessary to close the session and then reopen it and log back into the system. Saving the record often, as recommended above, can help prevent a time-out scenario. If a time-out occurs, unsaved data will be lost.

### **CROSS CHECKS:**

If data is entered that contradicts existing information, a message will display prompting you to change one of the data fields to ensure the information is accurate.

### **START A RECORD:**

#### **How to Create a New Record**

1. Choose Demographic Data Entry under the Functions pull down list or click the related icon.
2. Choose New Record under the Registration pull down list or click the related icon.
3. Enter the Date of Death and re-enter when prompted.
4. Enter the Social Security Number (SSN) and re-enter when prompted.
5. Select the Record Type.
6. Enter the decedent's name and re-enter when prompted. If unknown, enter John or Jane Doe and an investigation case number.

**Note:** Entering the case number helps differentiate this decedent from other unknown decedents.

7. Enter the Date of Birth.
8. Select the Gender.
9. Select the Type of Place of Death.

10. If a facility is selected, enter the first character of the facility's legal name. Tab to select the facility from the pull down list.
11. Select Find Record. If the record already exists, you must use the existing record.
12. When prompted to create a new record, click OK. You will be automatically routed to the Demographic 1 tab.
13. Save the new record and click OK to confirm it was created successfully.
14. Note the EDR number for future reference.

**Note:** Once the fields for Name, Social Security Number (SSN), Gender, Record Type, and Date of Birth are complete, the SSN Verification will be initiated upon saving the record.

### **When Verifying the Social Security Number:**

Saving will initiate the social security number verification process.

When a response is received, a message will indicate if the number was a match for the decedent or if any information, such as gender, did not match.

Click OK and correct the data if it was a data entry error. Until the data is corrected, this message will display each time the record is saved.

- If it was not a data entry error, confirm this decedent's personal information with the informant.
- If the information remains the same after confirmation, proceed with filing the record regardless of the verification status.

### **EXISTING RECORD**

#### **When a New Record Already Exists in TER:**

If a record was started by a Medical Certifier, the record will be found and the message "Existing record found and will be retrieved" will display. Click OK and the record will automatically be shown on the screen. The Funeral Home Director or staff can then complete the existing record instead of creating a new one.

**Note:** Clicking Cancel requires re-entry of the information

If the record was initially created by a different funeral home, that funeral home must decline the record before the current funeral home can take custody of it.

### **TIPS FOR ENTERING DATE OF DEATH**

#### **When entering the Date of Death:**

Enter the exact month, day, and year that the death occurred.

- The month and day must be 2-digits; the year must be 4-digits.
- For example, enter January 1, 2009 as "01/01/2009".
- Re-enter the date of death when prompted to ensure accuracy.

Deaths occurring at midnight are reported on the date for the preceding day, not the following day.



## **TIPS FOR ENTERING PLACE OF DEATH**

### **When entering the Place of Death:**

- If the death occurred in a hospital, specify: Inpatient, Emergency Room/Outpatient, or Dead on Arrival;
- If the death occurred in a licensed long-term care facility other than a hospital, choose "Nursing Home/Long Term Care Facility";
- If the death occurred at a licensed ambulatory or surgical facility, choose "Other" and provide details, such as "Physician's office" or name of the road where the accident occurred;
- If the body was discovered, note the location where it was found; and
- If the death occurred at sea or in flight, choose "Other" and note "In Flight" or "At Sea." In such cases, the county and city of death are recorded as the county and city in which the body was first removed from the vessel or craft.

## **COMPLETE THE DEMOGRAPHIC 1 TAB**

### **How to Complete the Demographic 1 Tab**

1. Enter the decedent's information on the Demographic 1 tab beginning with the AKA section.

**NOTE:** AKA stands for "Also Known As." This section can be used if the decedent used any name other than their legal name at the time of death.

2. Complete each field, tabbing as you go. When a field is not completed, the system will prompt you to indicate if omitting the data was intentional. Select Yes or No and continue completing fields. When selecting Yes, it is necessary to complete the unresolved field later to certify the record.
3. Select and enter the information about the decedent's birthplace.
4. Enter the Presumed Time of Death Type (Actual, Presumed, Estimated, or Found).
5. Enter the Time of Death and select A.M. or P.M. or note if death occurred exactly at noon or midnight. Military time is acceptable.

**NOTE:** When using military time, the TER system requires "A.M" to be indicated for all times prior to noon.

6. Provide the Decedent's Date of Birth.
7. Select the Decedent's Sex.
8. Tab off of the last field on the Demographic 1 tab and you will be automatically routed to the first field in the Demographic 2 tab.
9. Save the record and when prompted, click OK to confirm the record was saved successfully.



## **TIPS FOR ENTERING TIME OF DEATH**

### **Guidelines when entering the Time of Death:**

**This should be the exact time of death in hours and minutes, according to local time.**

- One minute after 12 Noon is entered as "12:01 P.M."
- One minute after 12 Midnight is entered as "12:01 A.M."
- Regarding the date of death, a death occurring at midnight belongs to the end of the previous day, not the beginning of the new day.
- Military time is acceptable. When using military time, the TER system requires "A.M." to be indicated for all times prior to noon.
- Time of death is the exact moment of demise and is not necessarily the same as time of pronouncement. Time of death may be important in inheritance cases when there is a question of who died first, such as multiple deaths in the same family.

## **COMPLETE THE DEMOGRAPHIC 2 TAB**

### **How to complete the Demographic 2 Tab**

1. Enter the decedent's Marital Status at the time of death. If "Married" is selected, the fields for Surviving Spouse's Name should be completed. If an option other than "Married" is selected, the Surviving Spouse's Name fields are disabled.
2. Enter the decedent's Father's Name.
3. Enter the decedent's Mother's Name Prior to First Marriage. This is commonly referred to as the mother's maiden name.
4. Enter the Decedent's Residence Address.
5. Tab again and you will be automatically routed to the first field in the Demographic 3 tab.
6. Save the record and when prompted, click OK to confirm the record was saved successfully.

**NOTE:** When selecting from a long list, such as a list of cities, typing the first few characters will advance the list to the portion that corresponds to those characters. For instance, typing "Aus" will quickly reach "Austin" on the list.

## **MARITAL STATUS**

Select "Married" as the Marital Status if the informant states the couple was legally separated but did not have an official divorce decree.

"Married" should also be selected if the informant states the couple was Common Law married. A couple may be considered Common Law married if they:

- were at least 18 years old;
- agreed that they were married;
- lived together; and
- represented themselves to other individuals as married to one another.

The couple may also be considered Common Law married if a Declaration and Registration of Informal Marriage was filed.



**NOTE:** If a married couple dies at the exact same time, choose "Married" for each decedent's record. If a Medical Examiner or Justice of the Peace determines there are different times of death, complete the records according to time of death. This means the first to die is listed as "Married" and the second as "Widowed."

## **RESIDENCE ADDRESS**

### **When entering the Residence Address:**

- Enter the location of the decedent's household, where the decedent actually lived. This is not necessarily the same as the voting residence, mailing address, or legal residence;
- Never enter a temporary residence, such as one used on vacation or on a business trip;
- A residence address used during a tour of military duty or during college attendance is not considered temporary;
- If the decedent lived in a long-term care facility, the facility name should be entered as the place of residence even if the decedent only resided there for a few days;
- If the decedent was a child, residence is the same as that of the parent(s), legal guardian, or custodian unless the child lived in an institution, in which case the residence is the facility;
- If the decedent was an infant who never resided at home, the residence is that of the mother or legal guardian;
- If the decedent was found and no information is available, enter Unknown;
- If the residence is outside city limits, enter the city from which the mail originates; and
- If the decedent is not a resident of the United States, enter the name of the country and the name of the unit of government that is the nearest equivalent of a state.

## **COMPLETE THE DEMOGRAPHIC 3 TAB**

### **How to Complete the Demographic 3 Tab**

1. Choose the place at which death occurred
2. If death occurs at the decedent's home, it is necessary to manually designate a Local Registrar. To do so, click Designate Local Registrar under the Registration pull down list or click the related icon.
3. Otherwise, enter the first character of the facility at which the death occurred and then select the facility's legal name. Tab off the field, and the facility address will automatically populate.
4. Click OK to acknowledge that the system is designating the Local Registrar based on the Place of Death. Designation is automatic when death occurs at a facility such as a hospital. If the Local Registrar is not automatically designated, it is necessary to designate the Registrar on the Demographic 5 tab.
5. Complete the informant fields, including name, relationship to the decedent, and mailing address. The Informant is the person who provides the decedent's personal information for the death certificate.

6. From the last field on the screen, tab again and you will be automatically routed to the first field in the Demographic 4 tab.
7. Save the record and when prompted, click OK to confirm the record was saved successfully.

### **COMPLETE THE DEMOGRAPHIC 4 TAB**

#### **How to Complete the Demographic 4 Tab**

1. Choose the Method of Disposition, such as burial or cremation. When choosing Other (Specify), provide details in the Other field.
2. The Name and Address of the funeral facility will automatically populate based on the location selected when logging into the TER system.

**NOTE:** If you are filing a death certificate for another funeral home, enter that funeral home in the Additional Funeral Service Provider field.

3. Select the name of the Funeral Service Licensee or Other Agent who is demographically verifying the record.
4. Enter the burial details, including Section, Block, Lot, Space or check Unknown if the details are unavailable.
5. Note the Place of Disposition including the name, city, and state of the cemetery or other place of disposition.
6. From the last field on the screen, tab again and you will be automatically routed to the first field in the Demographic 5 tab.
7. Save the record and when prompted, click OK to confirm the record was saved successfully.

### **METHOD AND PLACE OF DISPOSITION**

#### **When entering Method of Disposition:**

- Removal from the State indicates that the body was removed or shipped out of Texas for burial or other disposition.
- Select Donation if the body will be used by a hospital, medical or mortuary school for scientific or educational purposes. Donation refers to the entire body, not to individual organs.

#### **When entering Place of Disposition:**

If the body or cremains are permanently entombed or buried, note the name of the cemetery, crematory, mausoleum, columbarium, or other location where the body or cremains will be placed:

- If the Section, Block, Lot, or Space are all unknown or if the cremains are given to the family for disposition, select "Unknown".
- If one or more of the fields for Section, Block, Lot, or Space, is known, enter the information and leave unknown fields blank.
- When cremains are placed in a columbarium, use the designations that most closely match the form. For instance, Section may equal Wing, Lot may be Row, and Space may be Niche.

If the cremains are given to the family for disposition, enter only the name of the crematory. If the body is shipped to a foreign country and the location is known but no information is available regarding the name of the cemetery, enter only the name of the destination city or town.

## **COMPLETE THE DEMOGRAPHIC 5 TAB**

### **How to Complete the Demographic 5 Tab**

1. Enter information about the decedent's Education, Usual Occupation, and Kind of Business or Industry.
2. Select whether the decedent was ever a Peace Officer in This State.
3. Select whether the decedent was Ever in US Armed Forces. If Yes is selected, additional fields will be enabled.
4. Select whether the Decedent is of Hispanic Origin. Tab through the options and use the space bar to check the appropriate box.
5. Select the Decedent's Race. Tab through the options and use the space bar to check the appropriate box or boxes.
6. From the last field on the screen, Tab again and the Demographic 1 tab will display.
7. Save the record and when prompted, click OK to confirm the record was saved successfully.

**NOTE:** If the Local Registrar was not automatically assigned by the TER system based on Place of Death, you must designate the Local Registrar.



## **OCCUPATION AND INDUSTRY**

### **When entering Occupation and Industry:**

- Occupation is the kind of work the decedent performed during most of his or her working life, such as farmhand, attorney, janitor, homemaker, or professor;
- The usual occupation of the decedent is not necessarily the most recent occupation;
- If the decedent was a homemaker, enter the industry as "Own Home" or "Someone Else's Home", as appropriate;
- If the decedent was a student at the time of death and never regularly worked full time, enter "Student" and note the type of school as the Industry, such as high school or college;
- If the decedent was unable to work due to physical or mental disabilities, enter "Never Worked"; and
- Leave Occupation and Industry blank if the decedent was an infant or if the information was unknown.

## **INCOMPLETE FIELDS**

It is important to ensure all required fields are completed. To do this, use the Unresolved List feature, which displays any incomplete fields for a record. If there are no unresolved fields, close the window to return to the Demographic Data Entry screen.

1. Click the Unresolved List button at the top right of the screen to view any incomplete fields.

2. Note the unresolved fields, close the Unresolved Field List, and then complete those remaining fields.
  - Incomplete fields will be displayed in bright yellow.
  - If the field is to be left blank, place your cursor in that field and Tab to the next field, confirming your intent to leave it blank when prompted.
3. Save the overall record once more. When prompted, click OK to confirm the record was saved successfully. The demographic information for the death record has now been fully entered and the record is ready to be demographically verified by a Funeral Director.

### **WHO IS A MEDICAL CERTIFIER**

Once the demographic information is recorded, it is necessary to designate a Medical Certifier to complete Medical tabs 1-3 and certify the cause of death.

A Medical Certifier can be a Physician, Justice of the Peace, or Medical Examiner. Circumstances of death determine who may certify the cause and manner of death and therefore, who should be designated as the certifier.

**NOTE:** If a Medical Certifier is unable or unwilling to complete the task, it is possible to designate a different Medical Certifier.

 Circumstances of death determine who may certify the cause and manner of death. Physicians may certify natural deaths of persons above the age of 6. A Medical Examiner or Justice of the Peace should be contacted if the death occurs within 24 hours of admission to a hospital.

Medical Examiners and Justices of the Peace must certify a death if:

- the death did not occur naturally (due to accident, suicide, or homicide);
- the death is natural and the deceased is under the age of 6;
- the body was found and the cause and circumstances of the death are unknown;
- the death occurred in prison or jail;
- the death occurred without medical attendance; and
- the Physician is unable or unwilling to certify the cause of death.

For cases when a Justice of the Peace is not available for an inquest, a County Judge should be contacted. If the County Judge is not a registered user of the TER system, the certificate should be completed using the drop-to-paper method.

### **The 'Drop to Paper' Method**

Funeral home staff, logged into the TER system with a record open, may perform the following steps to drop a record to paper:

1. Select the Drop to Paper icon. You will be notified if the paper cannot be dropped to record.
2. A confirmation notice will explain that the record cannot be filed electronically after it has been dropped to paper. Click Yes to continue.

3. A print message will appear. Click OK
4. The death certificate will open as a PDF document in a new window.
5. Click the browser print icon

**NOTE:** The document must have a  $\frac{3}{4}$  inch top margin measuring from the top edge of the paper to the first horizontal line, a  $\frac{3}{4}$  inch left-side margin and the EDR and DTP numbers must be visible. The paper used must be 8-1/2 x 11 inches, rag bond, 25% new cotton fibers mill brand, 24 lb., acid-free and white cockle finish.

### **DESIGNATE A MEDICAL CERTIFIER**

**Review these steps to learn how to designate a Medical Certifier.**

1. Choose Designate Medical Certifier under the Registration pull down list or click the related icon.
2. Select the Medical Certifier Type.
3. Enter as much Medical Certifier information as possible, such as the certifier's name and license number.
4. Click Search.
5. The search results display at the bottom of the screen. Click the appropriate certifier and click the Designate button.
6. When prompted, confirm your intent to choose this Medical Certifier.
7. When prompted, click OK to acknowledge that the record has been successfully designated.
8. Save the record and when prompted, click OK to confirm the record was saved successfully.

### **ORDER CERTIFIED COPIES OF A DEATH CERTIFICATE**

**How to Complete the Death Certificate Ordering Application (DCOA) Process**

Once a record is complete, official copies of the death certificate must be ordered prior to demographic verification. This is done using the DCOA process.

1. Click the DCOA Icon to open the Death Certificate Ordering Application.
2. Complete the Configure Request Information and click the Submit button.
3. Verify the information in the review screen and revise as needed using the Edit button.
4. Click the Pay by Credit Card button.
5. Complete the Customer Information, including your name, address, and phone number.
6. Enter the Credit Card Information, including the card number, type, and expiration date.
7. Click the Continue button.
8. Verify Customer and Credit Card Information and edit as necessary using the Make Changes button.

9. Click Make Payment. If payment is approved, a notice of such will display. The screen should refresh automatically. If not, click Continue to acknowledge authorization of the purchase.
10. Print the receipt when it is displayed.
11. Close the Death Certificate Ordering Application.
12. Save the record and when prompted, click OK to confirm the record was saved successfully.
13. Confirm that the DCOA Response, located on the Demographic 1 tab, is updated to display the order status, such as "Success".

**NOTE:** If the TER session timed out before the record was saved, it is necessary to close and re-open the TER application. Retrieve the record and verify the DCOA Response field indicates "Success" in the Demographic 1 tab.

## **IN THIS SECTION YOU WILL LEARN HOW TO DEMOGRAPHICALLY VERIFY A RECORD WITHIN THE TER SYSTEM**

### **Who Can Demographically Verify a Record?**

 Once the demographic information is complete and the medical information, including the cause of death, is certified, it is necessary to verify the demographic information before the record is forwarded to the Local Registrar. This demographic verification is performed by licensed Funeral Home Directors.

Within the TER system a Funeral Director demographically verifies the death record by electronically "signing" it using a Personal Identification Number, or PIN.

Staff may enter a death record, but they are not authorized to demographically verify it.

The PIN should be kept confidential, as it is legally equivalent to the physical signature of the licensed Funeral Director.

### **How to Demographically Verify a Death Record**

1. Choose Demographic Verification under the Registration pull-down list or click the related icon. When prompted, confirm the intent to demographically verify the record.

**NOTE:** An alert may indicate unresolved fields to be completed before the record can be demographically verified.

2. Review and validate the basic information displayed in the Demographic Verification screen.
3. Click the Preview button to view the Facts of Death Verification form. When prompted with the message "The form is not ready to print", click OK and review the form. A review of every record is recommended before demographic verification.
4. If desired, print the Facts of Death Verification form for your files. The form also can be printed at a later time.
5. Return to the Demographic Verification screen and click the Verify button to electronically sign the record and validate the demographic data.
6. When prompted to verify that the demographic information in this record is complete and accurate to the best of your knowledge, enter your PIN and click OK to submit your signature.

7. When prompted, click OK to acknowledge that the record was saved successfully.

After Demographic Verification, the record is available in read-only mode. It is possible to make changes to a record that has been demographically verified, but not yet file with the Local Registrar. To do so:

- Click the De-Verify button
- A De-Verification Alert will appear. Click yes to confirm
- Click OK in the message box that the record was successfully De-Verified.
- Note that once a record has been de-verified and corrected, it must be verified again.

### **Certification of Death**

Generally speaking, deaths can be certified by physicians, justices of the peace, or medical examiners.

 In cases where an inquest is required, and a justice of the peace is not available, a county judge may also act as a certifier.

The responsibilities of the certifier are as follows:

- Verify the date of death in and complete the *Medical Certification* on the *Certificate of Death*
- Complete the *Medical Certification* **no later than five (5) days** after receiving the *Certificate of Death* or provide explanation for the delay.
- Sign the *Certificate of Death* in **blue** or **black** ink and include title (for example, M.D. or D.O.)

### **Attending Physicians as Certifiers**

An Attending Physician is the person responsible for care & treatment of the disease process that contributed to the death.

- The Attending Physician should certify **only natural causes**.
- He or she does not necessarily pronounce death or have to be present at time of death.
- Typically, this is the family doctor who knows the long-term medical history of the decedent.

A registered nurse, death investigator, or physician's assistant may not sign the death certificate as a certifier of the cause and manner of death.

### **What if the doctor delays in signing or refuses to sign?**

Medical certification is the physician's *best opinion*. Doubt about cause of death may be the issue. Nevertheless, these are steps you can take should there be a problem:

- Seek assistance from the family or the local registrar.
- Contact JP or ME to certify the record.
- Notify the **Texas State Board of Medical Examiners** if there is an ongoing problem with a particular physician.

## Best Practice . . .

- Filing a *Certificate of Death* with a *Manner of Death* (#40) and *Cause of Death* (#35) as “pending” may be the most appropriate thing to do. **NEVER** hold up a record waiting for autopsy results. A medical amendment can be filed with the local registrar to complete cause of death.



## Information About Other Types of Permits

A Burial-Transit Permit is required to ship or transport a body out-of-state, or to transport a body by common carrier within the state. A Burial-Transit Permit is also required for cremation. A burial-Transit Permit is not necessary if transporting the body within the state by means other than common carrier, in which case a copy of the Report of Death form is sufficient.

To ship a body from Texas to Mexico, the following documents are usually required:

**Important:** Contact your local consulate, as requirements may differ.

Spanish translations may also be required.

- A Burial-Transit Permit
- A certified copy of the Texas Certificate of Death
- An apostille from the Texas Secretary of the State's Office

A Disinterment Permit is not required if a body is to be disinterred and reinterred in the same cemetery.

## **Authorization for Cremation**

The Report of Death does not take the place of the Burial-Transit Permit for cremation. As noted above, a Burial-Transit Permit must be obtained for cremation.



A body may not be cremated until 48 hours after the death, as indicated on the Certificate of Death, unless the death certificate indicates the death was due to Asiatic cholera, bubonic plague, typhus fever, or small pox. The time requirement may also be waived in writing by the medical examiner or justice of the peace.

If an inquest is conducted by the medical examiner or justice of the peace, authorization for cremation from the medical examiner or justice of the peace is required in addition to a Burial-Transit Permit.

## **Responsibilities Of Local Registrar**

- Collect the *Report of Death* from funeral directors
- Track the death registration process.

- Issue *Burial Transit Permits* as needed.
- Review records for accuracy and completeness.
- File completed, accurate record with the State Registrar within **30 days**.
- Issue certified copies.



### **Tips and Reminders:**

- A death certificate is a confidential record for the first 25 years after the date of death, and may be released only to the properly qualified applicant.
- The penalty for failure to file a death certificate is a Class C Misdemeanor.
- When completing a Certificate of Death, avoid abbreviations.
- Type all information on the *Certificate of Death* except signatures.
- Use **BLUE** or **BLACK** ink for all signatures.
- Avoid using correction fluid or making alterations, erasures or strike-overs.
- Leave no items blank, unless specifically designated by the *Handbook on Death Registration*.
- Spell out “male” or “female” in **#2** (Sex).
- Write in physical address in **#21** (*Name of Hospital or Institution*)---do not use P.O. Box.
- Identify the relationship of the informant to the decedent in **#22** (*Informant—Signature & Relationship*).
- Cite “funeral home records” as the informant in **#22** if you had no other source and got information from police or hospital records.
- Fill out **#25b** (*Section, Block, Lot, etc.*) even if it is “unknown”.
- Sign your name in **#27** (*Signature of Funeral Director or Person Acting as Such*).
- Complete **#28** (*Date of Disposition*) —“unknown” is only accepted if body is being transported out of the state. This is the date you cease to have the body.
- Secure the title of the certifier in **#31** (*Signature & Title of Certifier*).
- Include “a.m.” or “p.m.” in time of death in **#33** (*Time of Death*).
- Make sure the date signed in **#32** (*Date Signed*) is clear and legible.
- Include the printed name of the certifier, along with address, in **#34** (*Printed Name & Address of Certifier*).
- Make sure there is a legible cause of death in **#35 Part 1**.
- You may use original *Certificates of Death* provided by the BVS, or make certain your paper adheres to BVS specifications as follows: paper must be rag bond; 25% new cotton fibers-mill brand; 24 pound; acid free; with a white cockle finish

## TEXAS ADMINISTRATIVE CODE – CHAPTER 181 – Vital Statistics

### RULE §181.2 Assuming Custody of Body

(a) The funeral director, or person acting as such, who assumes custody of a dead body or fetus shall obtain an electronically filed report of death through a Bureau of Vital Statistics system or complete a report of death before transporting the body. The report of death shall within 24 hours be mailed or otherwise transmitted to the local registrar of the district in which the death occurred or in which the body was found. A copy of the completed or electronically filed report of death as prescribed by the Bureau of Vital Statistics shall serve as authority to transport or bury the body or fetus within this state.



(b) If a dead body or fetus is to be removed from this state, transported by common carrier within this state, or cremated, the funeral director, or person acting as such, shall obtain a burial-transit permit from the local registrar where the death certificate is or will be filed, or from the state registrar electronically through a Bureau of Vital Statistics electronic death registration system. The registrar shall not issue a burial-transit permit until a certificate of death, completed in so far as possible, has been presented.

(c) The funeral director, or person acting as such, shall furnish the sexton or other person in charge of a cemetery with the information required.

### RULE §181.3 Transportation of Dead Bodies

(a) Bodies shipped by common carrier.

(1) Any body shipped by common carrier must be placed in either:

(A) a sound casket enclosed in a strong outside shipping case; or

(B) a metal container specifically designed for this purpose.

(2) If the body is not embalmed or is in a state of decomposition, it may be shipped only after enclosure in an air-tight metal casket encased in a strong outside shipping case or in a sound casket encased in an air-tight metal or metal lined shipping case.

(3) Shipping containers and requirements for the shipping of dead bodies must meet or exceed any requirement imposed by the shipping company, the receiving state or foreign country.

(4) When any body is to be transported by common carrier, the burial-transit permit shall be enclosed in a strong envelope and attached to the shipping case. No separate transit permit shall be required.

(b) Bodies transported by means other than common carrier.

(1) Any body transported by means other than a common carrier must be encased in a container which insures against seepage of fluid and the escape of offensive odors, provided, however, that bodies transported by a licensed funeral director in a vehicle used for such purpose need not be so encased.

(2) If a dead body is to be transported by means other than a common carrier and for a purpose other than preparation or storage, the report of death form shall be enclosed in a strong envelope and attached to the container in which the body is enclosed.

(c) Duties of transportation companies. No transportation company shall accept any body for shipment until it has been ascertained that a properly completed burial-transit permit accompanies the body.

#### **RULE §181.4                      Preservation of Bodies**

 No human body may be held in any place or be in transit more than 24 hours after death and pending final disposition unless either maintained at a temperature within the range of 34 degrees - 40 degrees Fahrenheit, or is embalmed by a licensed embalmer in a manner approved by the Texas Funeral Service Commission, or by an embalmer licensed to practice in the state where death occurred or is encased in a container which insures against seepage of fluid and the escape of offensive odors.

#### **RULE §181.6                      Disinterment**

(a) Except as is authorized for a justice of the peace acting as coroner or medical examiner under the Code of Criminal Procedure, Chapter 49, remains may not be removed from a cemetery except on written order of the state registrar or the state registrar's designee.

(b) The licensed funeral director to whom the disinterment permit is issued shall be responsible for the proper conduct of the disinterment and removal.

(c) The state registrar shall issue a disinterment permit so as to provide a copy for the state registrar, a copy retained by the funeral director to whom issued, a copy filed with the sexton or person in charge of the cemetery in which the disinterment is to be made, and a copy for the local registrar of the district in which the death occurred. The state registrar and the local registrar shall amend the certificate of death filed in their respective offices.

 (d) A disinterment permit shall not be required if a body is to be disinterred and reinterred in the same cemetery.

(e) A disinterment permit shall not be required to remove cremains.

(f) Cremation is considered to be a final disposition of remains.

(g) A disinterred body must be transported in a container which insures against the seepage of fluid or the escape of offensive odors. When shipped by common carrier, a disinterred body must be enclosed in an airtight metal casket encased in a strong outside shipping case, or in a sound casket encased in an airtight metal or metal-lined shipping case. This requirement shall not apply if the disinterred remains involve no soft parts.

(h) The disinterment permit issued by the state registrar shall serve as the authority to disinter, transport by means other than a common carrier, and re-inter a body within this state. (See §181.2 of this title (relating to Assuming Custody of Body)).

(i) A body kept in a receiving vault shall not be regarded as a disinterred body until after the expiration of 30 days.

(j) All disinterred remains kept in receiving vaults shall be thoroughly embalmed in a manner approved by the Texas Funeral Service Commission and shall be enclosed in a permanently sealed casket.

(k) The licensed funeral director or embalmer requesting a disinterment permit shall be responsible for obtaining a written consent of the cemetery, the owner of the plot, and the decedent's next-of-kin.

(l) The licensed funeral director or embalmer requesting a disinterment permit shall be responsible for obtaining a written consent order from the county judge to disinter a body from a grave when the cemetery, plot owner, and the decedent's next-of-kin are unknown.

**RULE §181.7 Fetal Death (Stillbirth)**

(a) A certificate of fetal death shall be filed for any fetus weighing 350 grams or more, or if the weight is unknown, a fetus aged 20 weeks or more as calculated from the start date of the last normal menstrual period to the date of delivery.

(b) A certificate of fetal death shall be considered properly filed:

(1) when all of the items thereon have been satisfactorily and definitely answered; and

(2) when the certificate has been presented for filing to the local registrar of the registration district in which the fetal death (stillbirth) occurred or the fetus was found. A certificate of fetal death (stillbirth) shall be filed with the local registrar within five days after the date of fetal death (stillbirth).

**RULE §181.14 Death and Fetal Death Certificate Form and Content**

(a) The State Registrar shall determine the items of information to be contained on certificates of death and fetal death. The format of the items will be designated in forms entitled "Certificate of Death" and "Certificate of Fetal Death".

(b) Funeral directors or other persons in charge of disposition or in charge of removal of a body from a registration district for disposition may prepare and file the Certificate of Death and the Certificate of Fetal Death.

**RULE §181.27 Memorandum of Understanding with the Texas Funeral Service Commission**

(a) The purpose of this section is to implement Texas Occupations Code, Chapter 651, and Health and Safety Code, Chapters 193 and 195. In an effort to better protect the public health, safety and welfare, it is the legislative intent of the laws for the Texas Department of Health (department) and the Texas Funeral Service Commission (TFSC) to adopt by rule a memorandum of understanding to facilitate cooperation between the agencies by establishing joint procedures and describing the actual duties of each agency for the referral, investigation, and resolution of complaints affecting the administration and enforcement of state laws relating to vital statistics and the licensing of funeral directors and funeral establishments.