GOVERNOR OF MISSOURI

JEFFERSON CITY
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JEREMIAH W. (JAY) NIXON
GOVERNOR

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July 10, 2015

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Committee Substitute for House Committee Substitute for House Bill No. 618 (House Bill No. 618) entitled:

AN ACT

To repeal sections 193.015, 193.145, 194.119, and 214.208, RSMo, and to enact in lieu thereof four new sections relating to human remains.

I disapprove of House Bill No. 618. My reasons for disapproval are as follows:

House Bill No. 618 would place expediency over accuracy in the performance of the important duty of determining cause of death, a function reserved by current law for licensed physicians and duly elected officials. By allowing more individuals to certify cause of death, House Bill No. 618 presents a risk that these vital records may have inaccurate information. For these reasons, House Bill No. 618 cannot receive my support.

Death certifications are considered vital records for a reason – they provide definitive evidence of a person's cause and manner of death and have important ramifications. Current law requires that medical certifications attesting to a person's cause of death be completed by a physician, medical examiner, or coroner – referred to as "medical certifiers" –and then officially reported to the Department of Health and Senior Services (DHSS). House Bill No. 618 would also allow physician assistants, assistant physicians, and advanced practice registered nurses to determine cause of death and submit that information to DHSS. Death certificates include such things as the cause and manner of death, the place of death, the interval between a diagnosis and death, and other significant contributing conditions. All of these are important pieces of information that often have significant consequences. Decisions regarding whether a crime has been committed, whether life insurance should be paid, and how to dispose of assets, all depend on determinations regarding the decedent's cause of death. Given the gravity of these decisions, we should not be expanding the group of individuals authorized to make that determination in the way that House Bill No. 618 does.

Moreover, House Bill No. 618 would grant immunity to the individuals authorized to determine cause of death, thus preventing anyone harmed by inaccuracies from holding that individual civilly liable absent gross negligence or willful misconduct.

In accordance with the above stated reasons for disapproval, I am returning Senate Committee Substitute for House Committee Substitute for House Bill No. 618 without my approval.

Respectfully submitted,

Jeremiah W. (Jay) Nixon
Governor