

1 AN ACT concerning health.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Vital Records Act is amended by changing  
5 Sections 1 and 18 as follows:

6 (410 ILCS 535/1) (from Ch. 111 1/2, par. 73-1)

7 Sec. 1. As used in this Act, unless the context otherwise  
8 requires:

9 (1) "Vital records" means records of births, deaths, fetal  
10 deaths, marriages, dissolution of marriages, and data related  
11 thereto.

12 (2) "System of vital records" includes the registration,  
13 collection, preservation, amendment, and certification of  
14 vital records, and activities related thereto.

15 (3) "Filing" means the presentation of a certificate,  
16 report, or other record provided for in this Act, of a birth,  
17 death, fetal death, adoption, marriage, or dissolution of  
18 marriage, for registration by the Office of Vital Records.

19 (4) "Registration" means the acceptance by the Office of  
20 Vital Records and the incorporation in its official records of  
21 certificates, reports, or other records provided for in this  
22 Act, of births, deaths, fetal deaths, adoptions, marriages, or  
23 dissolution of marriages.

1           (5) "Live birth" means the complete expulsion or  
2 extraction from its mother of a product of human conception,  
3 irrespective of the duration of pregnancy, which after such  
4 separation breathes or shows any other evidence of life such  
5 as beating of the heart, pulsation of the umbilical cord, or  
6 definite movement of voluntary muscles, whether or not the  
7 umbilical cord has been cut or the placenta is attached.

8           (6) "Fetal death" means death prior to the complete  
9 expulsion or extraction from the uterus of a product of human  
10 conception, irrespective of the duration of pregnancy, and  
11 which is not due to an abortion as defined in Section 1-10 of  
12 the Reproductive Health Act. The death is indicated by the  
13 fact that after such separation the fetus does not breathe or  
14 show any other evidence of life such as beating of the heart,  
15 pulsation of the umbilical cord, or definite movement of  
16 voluntary muscles.

17           (7) "Dead body" means a lifeless human body or parts of  
18 such body or bones thereof from the state of which it may  
19 reasonably be concluded that death has occurred.

20           (8) "Final disposition" means the burial, cremation, or  
21 other disposition of a dead human body or fetus or parts  
22 thereof.

23           (9) "Physician" means a person licensed to practice  
24 medicine in Illinois or any other state.

25           (10) "Institution" means any establishment, public or  
26 private, which provides in-patient medical, surgical, or

1 diagnostic care or treatment, or nursing, custodial, or  
2 domiciliary care to 2 or more unrelated individuals, or to  
3 which persons are committed by law.

4 (11) "Department" means the Department of Public Health of  
5 the State of Illinois.

6 (12) "Director" means the Director of the Illinois  
7 Department of Public Health.

8 (13) "Licensed health care professional" means a person  
9 licensed to practice as a physician, advanced practice  
10 registered nurse, or physician assistant in Illinois or any  
11 other state.

12 (14) "Licensed mental health professional" means a person  
13 who is licensed or registered to provide mental health  
14 services by the Department of Financial and Professional  
15 Regulation or a board of registration duly authorized to  
16 register or grant licenses to persons engaged in the practice  
17 of providing mental health services in Illinois or any other  
18 state.

19 (15) "Intersex condition" means a condition in which a  
20 person is born with a reproductive or sexual anatomy or  
21 chromosome pattern that does not fit typical definitions of  
22 male or female.

23 (16) "Homeless person" means an individual who meets the  
24 definition of "homeless" under Section 103 of the federal  
25 McKinney-Vento Homeless Assistance Act (42 U.S.C. 11302) or an  
26 individual residing in any of the living situations described

1 in 42 U.S.C. 11434a(2).

2 (17) "Advanced practice registered nurse" means: (i) an  
3 advanced practice registered nurse with full practice  
4 authority; or (ii) an advanced practice registered nurse with  
5 a collaborative agreement with a physician who has delegated  
6 the completion of death certificates.

7 (18) "Certifying health care professional" means a  
8 physician, physician assistant, or advanced practice  
9 registered nurse.

10 (19) "Physician assistant" means a physician assistant who  
11 practices in accordance with a written collaborative agreement  
12 that includes the completion of death certificates.

13 (Source: P.A. 101-13, eff. 6-12-19; 102-257, eff. 1-1-22.)

14 (410 ILCS 535/18) (from Ch. 111 1/2, par. 73-18)

15 Sec. 18. (1) Each death which occurs in this State shall be  
16 registered by filing a death certificate with the local  
17 registrar of the district in which the death occurred or the  
18 body was found, within 7 days after such death (within 5 days  
19 if the death occurs prior to January 1, 1989) and prior to  
20 cremation or removal of the body from the State, except when  
21 death is subject to investigation by the coroner or medical  
22 examiner.

23 (a) For the purposes of this Section, if the place of  
24 death is unknown, a death certificate shall be filed in  
25 the registration district in which a dead body is found,

1           which shall be considered the place of death.

2           (b) When a death occurs on a moving conveyance, the  
3           place where the body is first removed from the conveyance  
4           shall be considered the place of death and a death  
5           certificate shall be filed in the registration district in  
6           which such place is located.

7           (c) The funeral director who first assumes custody of  
8           a dead body shall be responsible for filing a completed  
9           death certificate. He or she shall obtain the personal  
10          data from the next of kin or the best qualified person or  
11          source available; he or she shall enter on the certificate  
12          the name, relationship, and address of the informant; he  
13          or she shall enter the date, place, and method of final  
14          disposition; he or she shall affix his or her own  
15          signature and enter his or her address; and shall present  
16          the certificate to the person responsible for completing  
17          the medical certification of cause of death. The person  
18          responsible for completing the medical certification of  
19          cause of death must note the presence of  
20          methicillin-resistant staphylococcus aureus, clostridium  
21          difficile, or vancomycin-resistant enterococci if it is a  
22          contributing factor to or the cause of death. Additional  
23          multi-drug resistant organisms (MDROs) may be added to  
24          this list by the Department by rule.

25          (2) The medical certification shall be completed and  
26          signed within 48 hours after death by the certifying health

1 care professional who, within 12 months prior to the date of  
2 the patient's death, was treating or managing treatment of the  
3 patient's illness or condition which resulted in death, except  
4 when death is subject to the coroner's or medical examiner's  
5 investigation. In the absence of the certifying health care  
6 professional or with his or her approval, the medical  
7 certificate may be completed and signed by his or her  
8 associate physician or advanced practice registered nurse,  
9 physician assistant, the chief medical officer of the  
10 institution in which death occurred, or by the physician who  
11 performed an autopsy upon the decedent.

12 (3) When a death occurs without medical attendance, or  
13 when it is otherwise subject to the coroner's or medical  
14 examiner's investigation, the coroner or medical examiner  
15 shall be responsible for the completion of a coroner's or  
16 medical examiner's certificate of death and shall sign the  
17 medical certification within 48 hours after death, except as  
18 provided by regulation in special problem cases. If the  
19 decedent was under the age of 18 years at the time of his or  
20 her death, and the death was due to injuries suffered as a  
21 result of a motor vehicle backing over a child, or if the death  
22 occurred due to the power window of a motor vehicle, the  
23 coroner or medical examiner must send a copy of the medical  
24 certification, with information documenting that the death was  
25 due to a vehicle backing over the child or that the death was  
26 caused by a power window of a vehicle, to the Department of

1 Children and Family Services. The Department of Children and  
2 Family Services shall (i) collect this information for use by  
3 Child Death Review Teams and (ii) compile and maintain this  
4 information as part of its Annual Child Death Review Team  
5 Report to the General Assembly.

6 (3.5) The medical certification of cause of death shall  
7 expressly provide an opportunity for the person completing the  
8 certification to indicate that the death was caused in whole  
9 or in part by a dementia-related disease, Parkinson's Disease,  
10 or Parkinson-Dementia Complex.

11 (4) When the deceased was a veteran of any war of the  
12 United States, the funeral director shall prepare a  
13 "Certificate of Burial of U. S. War Veteran", as prescribed  
14 and furnished by the Illinois Department of Veterans' Affairs,  
15 and submit such certificate to the Illinois Department of  
16 Veterans' Affairs monthly.

17 (5) When a death is presumed to have occurred in this State  
18 but the body cannot be located, a death certificate may be  
19 prepared by the State Registrar upon receipt of an order of a  
20 court of competent jurisdiction which includes the finding of  
21 facts required to complete the death certificate. Such death  
22 certificate shall be marked "Presumptive" and shall show on  
23 its face the date of the registration and shall identify the  
24 court and the date of the judgment.

25 (Source: P.A. 102-257, eff. 1-1-22.)