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## OLR Bill Analysis

### HB 5513

#### ***AN ACT CONCERNING THE DEPARTMENT OF PUBLIC HEALTH'S RECOMMENDATIONS REGARDING VARIOUS REVISIONS TO THE PUBLIC HEALTH STATUTES.***

#### **SUMMARY**

This bill makes various changes in Department of Public Health (DPH)-related statutes and programs. It:

1. allows DPH to appoint an embalmer to dispose of an abandoned dead body or abandoned cremated remains after a funeral director or embalmer has voluntarily or improperly relinquished control of the body or remains in violation of state law (§ 1);
2. requires DPH, upon request, to issue death records electronically regardless of when the death occurred (with the Social Security number (SSN) generally redacted), instead of only just for deaths since July 1, 1997, as under current law (§ 2);
3. makes minor and clarifying changes to laws related to the food code, such as updating terminology and specifying that the DPH commissioner's authority to adopt regulations to implement food code-related laws includes a law on audits of local health department food protection programs (§§ 4-6);
4. requires that regulations for the Medical Orders for Life-Sustaining Treatment (MOLST) program allow providers to give patients a signed copy of the order rather than the original, and provides that a MOLST is invalid unless it is completed on a DPH form and executed in line with statutory and regulatory requirements (see BACKGROUND) (§ 7); and
5. allows DPH's contracted program for HIV pre- and post-exposure prophylaxis (PrEP and PEP) drug assistance to also

provide funding for associated lab testing and related costs (§ 8).

It also makes other minor, technical, and conforming changes.

EFFECTIVE DATE: Upon passage

## **§ 1 — DISPOSAL OF ABANDONED BODIES OR REMAINS**

The bill allows the DPH commissioner to appoint a willing licensed embalmer to dispose of an abandoned dead body or abandoned cremated remains. The embalmer may request any records needed to identify the body or remains and must notify the commissioner, within seven days after the disposition of the body or remains, of when and how it was done.

Under the bill, a body or remains is deemed abandoned when a licensed or formerly licensed funeral director or embalmer voluntarily or improperly relinquishes custody in violation of the law's requirements. This includes when they stop operating a funeral home and do not provide for the transfer or disposition of the bodies or remains they had custody of at the time.

Existing law sets various requirements for funeral directors and embalmers as to the disposition of dead bodies and cremated remains, including the requirement to carry out the person's documented wishes or, in cases where there is a dispute as to who has the right to custody over the remains, the probate court's final decision.

## **§ 2 — ELECTRONIC DEATH RECORDS**

Current law sets various requirements for death certificates, including that (1) for deaths on or after July 1, 1997, the SSN be included in an "administrative purposes" section of the certificate that can be disclosed only to certain eligible parties (such as the funeral director and surviving spouse) and (2) DPH disclose the record or (for deaths since that date) information in it upon the request of any other person, researcher, or state or federal agency, with the SSN redacted.

The bill removes the 1997 start date from these provisions and specifically requires DPH, for deaths that occurred at any time, to give

these other parties information from the death certificate in electronic form. It requires the SSN to be redacted, removed, or omitted unless the requester is a state or federal agency authorized by federal law to receive it.

The bill also makes related minor and technical changes.

## **BACKGROUND**

### ***MOLST Program***

By law, a MOLST is a medical order to carry out a patient's request for life-sustaining treatment when the patient is approaching the end stage of a serious, life-limiting illness or is in a condition of advanced, chronic progressive frailty. Patient participation is voluntary. To agree to participate, a patient or the patient's legally authorized representative must sign the MOLST form.

## **COMMITTEE ACTION**

Public Health Committee

Joint Favorable

Yea 22    Nay 10    (03/23/2026)