



# OHIO LEGISLATIVE SERVICE COMMISSION

Terry Steele

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## Fiscal Note & Local Impact Statement

**Bill:** H.B. 146 of the 132nd G.A.

**Status:** In House State and Local Government

**Sponsor:** Rep. Householder

**Local Impact Statement Procedure Required:** No

**Subject:** Requires a court hearing for a coroner to change cause of death listed on a death record

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The bill requires that a hearing in a court of common pleas be held if a coroner wishes to change a cause of death on a death record in certain circumstances. Ultimately, the cost of this change in procedure would depend on how frequently changes to the noted cause of death are necessary and the number of court hearings that would need to be held under the revised process outlined in the bill.

Under current law, a coroner is permitted to change the cause of death once, with any subsequent changes requiring a hearing in a court of common pleas. Under the bill, a coroner is permitted to change the *immediate* cause of death twice without a hearing, with any subsequent changes then requiring a hearing. The bill further specifies that a coroner may change the *underlying* cause of death once within the first eight weeks of death without a hearing. Any subsequent changes would then require a hearing. The bill further requires the court to notify the county prosecutor and applicable next of kin of any hearings related to changing a cause of death.

Data for 2016 collected by the Ohio State Coroners Association (OSCA) show that, out of 1,275 natural death certificates, the reason for cause of death was changed on 86 of the certificates. Of that number, 77 of those changes to the cause of death were to record an accidental cause of death. Ohio Department of Health (ODH) Division of Vital Statistics data indicate that in 2016, a total of 98 death certificates had changes that did not fall within the exceptions established in the bill, and would therefore require court hearings. Therefore, while the change in procedure might increase the workload of certain courts of common pleas by some degree, any resulting costs could presumably be absorbed within existing court budgets and considered as part of the daily cost of doing business.

### Synopsis of Fiscal Effect Changes

The substitute bill allows for various exceptions to the provision that would require a court hearing if a coroner wishes to change the cause of death on a death certificate. Data obtained by OSCA and ODH indicate that, based on 2016 statistics, there could be nearly 100 such hearings annually due to cause of death changes that do not fall into the exceptions provided in the substitute bill.