

By Mr. Palumbo of Newbury, petition of Thomas G. Palumbo for legislation to require physicians, medical officers or medical examiners to notify funeral directors of any infectious disease including the AIDS related virus before the body of a deceased person is released. Health Care.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-One.

AN ACT RELATIVE TO DEATH CERTIFICATES; ISSUANCE; CONTENTS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 46 of the Massachusetts General Laws, as appearing
2 in the 1984 Official Edition, is hereby amended by adding the
3 following new section: —

4 Section 9A(1) Any physician, officer or medical examiner who
5 declares a person dead or issues a death certificate under Section 9
6 of this chapter shall notify the funeral director or his authorized
7 agent before the body of the deceased is released to the funeral
8 director or his authorized agent of any infectious disease or agent,
9 including acquired immunodeficiency syndrome-related virus. A
10 funeral director or his authorized agent, who receives notification
11 under this section shall not refuse to render his services as a result
12 of having received such notification. Whoever violates this section
13 shall be punished by imprisonment in a jail or house of correction
14 for not more than six months, or by a fine of not more than \$1,000
15 or both.

16 (2) The information contained in the notification required by
17 subsection (1) shall be confidential. Any person who receives such
18 confidential information under this section shall disclose the
19 information to others only to the extent consistent with the
20 authorized purpose for which the information was obtained.
21 Whoever violates this subsection shall be punished by a fine not
22 to exceed two hundred dollars.

23 (3) The Department of Public Health shall promulgate rules
24 to administer this section.

25 (4) This section shall take effect on the effective date of the rules
26 required by subsection (3) of this section.