

CHAPTER 90
SB 146-FN - FINAL VERSION

2025 SESSION

25-1140
09/08

SENATE BILL

146-FN

AN ACT

relative to medical examiner's certificates and medical certification of the death record.

SPONSORS:

Sen. Prentiss, Dist 5; Sen. Fenton, Dist 10; Sen. Perkins Kwoka, Dist 21; Sen. Watters, Dist 4; Sen. Long, Dist 20; Sen. Birdsell, Dist 19; Sen. Rosenwald, Dist 13

COMMITTEE:

Judiciary

ANALYSIS

This bill amends requirements for viewing of a deceased body in regard to medical examiner's certificates and medical certification of the death record.

This bill is a request of the department of justice and the office of the chief medical examiner.

Explanation:

Matter added to current law appears in ***bold italics***.

Matter removed from current law appears [~~in brackets and struck through.~~]

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Five

AN ACT relative to medical examiner's certificates and medical certification of the death record.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 90:1 Cremation of Human Remains; Medical Examiner's Certificate. Amend RSA 325-A:18, I to read
2 as follows:

3 I. The body of a deceased person shall not be cremated within 48 hours after his or her decease
4 unless he or she died of a contagious or infectious disease. If the death occurred within the state, the
5 body shall not be cremated by the crematory authority until the crematory authority has received the
6 certificate of burial permit required by law before burial, and a certificate from a medical examiner that he
7 or she has ~~[viewed the body and]~~ made personal inquiry into the cause and manner of death, and is of the
8 opinion that no further examination or judicial inquiry concerning the same is necessary. If the death
9 occurred within the state but the body is being transferred out of state for cremation, the transfer shall not
10 occur until the medical examiner has conducted such ~~[a view and]~~ *an* inquiry and has issued a certificate.
11 If the death occurs without the state, the reception and cremation of the body of a deceased person shall
12 be governed by rules adopted by the board after consultation with the chief medical examiner.

13 90:2 Death Registration Forms and Procedures; Cremation. Amend RSA 5-C:71, I to read as
14 follows:

15 I. When the body of a deceased person is to be disposed of by cremation, the crematory
16 operator, the funeral director, next of kin, or designated agent in charge of the final disposition
17 arrangements shall present a copy of the death certificate and the burial permit or emergency burial
18 permit ~~[with the body]~~ to a medical examiner in order to obtain the medical examiner's certificate.

19 90:3 Death Registration Forms and Procedures; Medical Certification of the Death Record. Amend
20 RSA 5-C:64, VI to read as follows:

21 VI. In the absence of the deceased's attending physician, APRN, or physician assistant or with
22 the attending physician's, APRN's, or physician assistant's approval, the medical certification of a death
23 due to natural causes shall be completed by one of the following individuals: the attending physician's,
24 APRN's, or physician assistant's associate physician, APRN in medical practice, or physician assistant,
25 the chairperson of the applicable clinical department, the chief medical officer of the hospital, the
26 physician, APRN, or physician assistant or designee who performed an autopsy upon the decedent, or the
27 physician, APRN, or physician assistant on duty if the death occurred in the hospital emergency room.
28 The person determining the cause of death shall attest to its accuracy. ~~[The person determining the cause
29 of death shall have viewed the deceased within 24 hours after death.]~~

30 90:4 Effective Date. This act shall take effect 60 days after its passage.

Approved: June 10, 2025
Effective Date: August 09, 2025

