

Code §32.1-263 Frequently Asked Questions

Q. A funeral director states the requirement to push doctors to register in EDRS was postpone until 2019. What additional information can you provide?

A. The funeral director was referring to Senate Bill (SB) 357, which mandated the funeral directors and medical certifiers use the EDRS to file death certificates. At the request of the Senator sponsoring the bill, SB357 was continued to the 2019 General Assembly. Please note this does not affect the two bills (HB1158 and SB309) that became effective on July 1, 2018.

Q. A funeral home stated the Code was not changed because not all funeral homes and medical certifiers have signed up for EDRS and the Local Health Departments must accept paper copies no matter the circumstance. Is this a true statement?

A. The amended Code became effective July 1, 2018. Funeral homes were mandated to use the EDRS. As stated in a previous email there may be an occasion when it is necessary to accept a complete paper death certificate that the funeral home did not start in EDRS. Exceptions are listed on page three.

Q. If the physician is not an EDRS user, how can the funeral home file the death certificate electronically?

A. The funeral home will complete the demographic information in EDRS and use the “drop to paper” function in EDRS to print the death certificate for the medical certifier to complete the medical certification. The funeral home will file the completed “drop to paper” death certificate with the local health department.

Q. Are out-of-state funeral homes exempted from using EDRS?

A. No. Code §32.1-263 states the funeral director or funeral service licensee shall file the death certificate using the EDRS. Exceptions are listed on page three.

Q. Should out-of-state funeral directors or funeral service licensees have a Virginia license to file death certificates?

A. Code requires a Funeral Director be licensed by the Commonwealth of Virginia to file a death certificate. Therefore, an out-of-state funeral director or funeral service licensee must have a funeral director's license or courtesy card issued by the Virginia Department of Health Professions Board of Funeral Directors and Embalmers to file a Virginia death certificate. With a Virginia license or courtesy card, they are eligible to use the EDRS.

Q. Did out-of-state funeral homes receive notification of the EDRS mandate?

A. There are several out-of-state funeral directors or funeral service licensees enrolled in the EDRS. The Division of Vital Records is in the process of developing a list from EDRS of out-of-state funeral directors or funeral service licensees that have filed Virginia death certificates to inform them of the EDRS mandate. It would be helpful if the Deputy Registrars continue distributing the flyer to funeral directors.

Q. What is the procedure on August 2, 2018 if a funeral home submits a death certificate for filing that was not created in EDRS?

A. Accept the death certificate for filing if it meets any of the exceptions on page three. Before rejecting a death certificate, contact the Division of Vital Records to see if an exception can be given. If no exception is given, return the death certificate to the funeral home and give them a copy of the Code. The funeral director must become an EDRS user to complete the demographic information in EDRS, use the "drop to paper" function to print the death certificate for the medical certifier to complete the medical certification.

Q Can you explain the "drop to paper" function in EDRS?

A. The EDRS "drop to paper" function is used when only one of the parties responsible for the completion of the death certificate is an EDRS user. For example, the funeral director is an EDRS user and the medical certifier is not an EDRS user. The funeral director will complete the demographic information in EDRS, using the "drop to paper" function and print the death certificate for the medical certifier to complete the medical certification. The "drop to paper" death certificate is filed at the Local Health Department.

Q. Can you explain the EDRS Online Registration?

A. The EDRS Online Registration allows funeral directors, funeral service licensees and medical certifiers to enroll in EDRS electronically. It is not necessary for the potential user to fax or email the EDRS logon forms if they meet the EDRS Online Registration requirements. For additional information visit <http://www.vdh.virginia.gov/vital-records/electronic-death-registration-system/access-edrs/>.

Code §32.1-263 Exceptions

As with any Code changes, it takes time before all affected parties are aware of the changes. The Virginia Department of Health's Division of Vital Records realizes that it can take months for all parties involved in the filing of a death certificate to meet the mandate requirements approved during the 2018 General Assembly for Code §32.1-263. Therefore, on occasions, it may be necessary to accept a death certificate not created in EDRS. Below are exceptions for accepting non-EDRS death certificates.

- A. A medical certifier not enroll in EDRS starts the death certificate by completing the medical certification portion on the death certificate and presents it to the funeral home for completion. In this case, the funeral director will complete the death certificate by typing or handwriting the demographic information and file it with the Local Health Department.
- B. The EDRS could not be accessed because of:
 - a. a power outage,
 - b. system upgrade or maintenance
 - c. technical issues with the server
- C. The out-of-state funeral home is unaware of the changes to Code §32.1263.
- D. The death certificate is filed by the next of kin.

It is possible the above list could expand as cases are presented to the Division of Vital Records from the Local Health Departments.