

January 10, 2023

ASSEMBLY BILL NO. 2002

To the General Assembly:

Pursuant to Article V, Section I, Paragraph 14 of the New Jersey Constitution, I am returning Assembly Bill No. 2002 with my recommendations for reconsideration.

Assembly Bill No. 2002 seeks to enable county surrogates to provide certified copies of death certificates to individuals who they are serving. First, the bill would require the State registrar to facilitate a county surrogate's real-time access to vital statistics records so that the surrogate can provide a certified copy of a death certificate to an authorized person for whom the county surrogate is already providing services. Second, the bill adds county surrogates to the list of entities, along with local registrars, alternate deputy registrars, and others, who may provide certified copies of death certificates to statutorily authorized persons.

I wholeheartedly support the intent of this bill and applaud its sponsors for seeking to make it easier for county surrogates to obtain certified death certificates. Among the many critical functions that county surrogates perform, one of the most important is to assist the relatives of those who pass away without a will, including by appointing an administrator of the deceased's estate. In the days and weeks after a loved one has passed away, surviving family members can count on a county surrogate for crucial supports and services. In addition, when someone passes away, a certified copy of the deceased's death certificate is required for various matters, such as collecting on life insurance or transferring ownership of a vehicle. This bill recognizes that obtaining a certified copy of a death certificate from the State or a local registrar may impose an additional burden and hardship on someone

who has just suffered a loss, especially if there is a delay in obtaining the certificate.

However, I have concerns regarding the bill's proposal to allow county surrogates to have direct access to vital statistics records and to produce certified copies of death certificates themselves. The State registrar in the Department of Health ("DOH") is charged with overseeing the State's vital statistics records, and the State and local registrars have the authority and training to produce certified copies of death certificates. Vital statistics records contain extremely sensitive information, and it is important that the list of entities who have access to those records and who have the authority to produce death certificates remains circumscribed. Moreover, a county surrogate performs services on behalf of the person in need of a death certificate. Given that preexisting relationship, it would be inappropriate for the county surrogate to also have the authority to produce the death certificate. Finally, as a practical matter, the State registrar does not have the resources to train and supervise 21 county surrogate's offices with respect to the production of death certificates.

Accordingly, I am suggesting changes that will address these concerns, while preserving the sponsors' intent of reducing barriers to obtaining certified copies of death certificates in a timely manner for grieving families being served by county surrogates. First, instead of allowing county surrogates to have direct access to the State's vital statistics and the ability to produce certified copies of death certificates themselves, I recommend allowing county surrogates to have access to the New Jersey Electronic Death Registration System ("NJ-EDRS"), which is also accessible by medical professionals, mortuary practitioners,

and local registrars, among others. This will enable county surrogates to have real-time, view-only access to verify death records on behalf of authorized persons without providing county surrogates with real-time access to all vital statistics or the authorization to produce certified copies of death certificates. Second, I recommend amending the bill to require registrars to provide county surrogates with certified copies of death certificates within fourteen days of a request that is made on behalf of an authorized person who is already receiving services from the surrogate. This will ensure county surrogates can quickly assist those in need without unduly disrupting the registrars' work.

I am pleased to have developed these recommendations in collaboration with the DOH, the State registrar, and the bill's sponsors, and I once again thank the bill's sponsors for their attention to this issue.

Therefore, I herewith return Assembly Bill No. 2002 and recommend that it be amended as follows:

<u>Page 3, Section 1, Line 31:</u>	Delete "real-time"
<u>Page 3, Section 1, Line 32:</u>	Delete ", and facilitate a county surrogate's access,"
<u>Page 3, Section 1, Line 32:</u>	Delete "the necessary"
<u>Page 3, Section 1, Line 33:</u>	Delete in its entirety
<u>Page 3, Section 1, Line 34:</u>	Delete "certified copy of" and insert "NJ-EDRS to verify"
<u>Page 3, Section 1, Line 34:</u>	Delete "to" and insert "on behalf of"
<u>Page 3, Section 2, Lines 43-44:</u>	Delete "county surrogate office,"
<u>Page 4, Section 2, Line 13:</u>	Delete "county surrogate office,"
<u>Page 4, Section 3, Line 18:</u>	After "NJ-EDRS." insert "c. The State registrar, a local registrar, deputy registrar, alternate deputy registrar, subregistrar, or an incorporated political

subdivision comprising a registration district shall provide to a county surrogate a certification or certified copy of a death certificate within fourteen days of the county surrogate's request for such certification or certified copy of a death certificate when the request is made on behalf of an authorized person as identified pursuant to subsection a. of this section, who shall be otherwise engaged in receiving services provided by the requesting county surrogate."

Page 4, Section 4, Line 26:

Delete "immediately" and insert "on the first day of the sixth month next following enactment"

Respectfully,

Philip D. Murphy
Governor

Attest:

Parimal Garg
Chief Counsel to the Governor