

JAN 29 2003
STATE GOVERNMENT

HOUSE FILE 87
BY MURPHY

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the determination of time of death and signing
2 of the death certificate by an advanced registered nurse
3 practitioner.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

HF 87

1 Section 1. Section 142C.2, Code 2003, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 0A. "Advanced registered nurse
4 practitioner" means a registered nurse licensed pursuant to
5 chapter 152 or licensed in another state and recognized for
6 licensure in this state pursuant to the nurse licensure
7 compact contained in chapter 152E, who has completed an
8 advanced formal academic nursing education program in a
9 specialty area approved by the board of nursing, and who meets
10 additional qualification criteria as determined by the board
11 of nursing by rule.

12 Sec. 2. Section 142C.6, subsection 2, Code 2003, is
13 amended to read as follows:

14 2. If an anatomical gift is made to a designated donee,
15 the document of gift, or a copy, may be delivered to the donee
16 to expedite the appropriate procedures after the death of the
17 donor. The document of gift, or a copy, may be deposited in
18 any hospital, organ procurement organization, bank or storage
19 organization, or donor registry office that accepts the
20 document of gift for safekeeping or for the facilitation of
21 procedures after the death of the donor. If a document is
22 deposited by a donor in a hospital, donor registry, or bank or
23 storage organization, the hospital or bank or storage
24 organization may forward the document to an organ procurement
25 organization which will retain the document for facilitating
26 procedures following the death of the donor. Upon request of
27 a hospital, physician, ~~or~~ surgeon, or advanced registered
28 nurse practitioner, upon or after the donor's death, the
29 person in possession of the document of gift may allow the
30 hospital, physician, ~~or~~ surgeon, or advanced registered nurse
31 practitioner, to examine or copy the document of gift.

32 Sec. 3. Section 142C.8, subsections 3 and 4, Code 2003,
33 are amended to read as follows:

34 3. The time of death shall be determined by a physician or
35 advanced registered nurse practitioner who attends the donor

1 at death, as defined in section 702.8, or, if no attending
2 physician or advanced registered nurse practitioner is
3 present, the physician or advanced registered nurse
4 practitioner who certifies the death. The physician or
5 advanced registered nurse practitioner who attends the donor
6 at death and the physician or advanced registered nurse
7 practitioner who certifies the time of death shall not
8 participate in the procedures for removing or transplanting a
9 part of the decedent. A medical examiner acting to determine
10 the time of death or to certify the death, however, may remove
11 a part if otherwise in accordance with this chapter.

12 4. If an anatomical gift is made, a physician or
13 technician may remove any donated parts and an enucleator may
14 remove any donated eyes or parts of eyes, after determination
15 of death by a physician or advanced registered nurse
16 practitioner.

17 Sec. 4. Section 144.26, subsection 1, Code 2003, is
18 amended to read as follows:

19 1. A death certificate for each death which occurs in this
20 state shall be filed as directed by the state registrar within
21 three days after the death and prior to final disposition, and
22 shall be registered by the county registrar if it has been
23 completed and filed in accordance with this chapter. A death
24 certificate shall include the social security number, if
25 provided, of the deceased person. All information including
26 the certifying physician's or advanced registered nurse
27 practitioner's name shall be typewritten.

28 Sec. 5. Section 144.28, subsection 1, Code 2003, is
29 amended to read as follows:

30 1. The medical certification shall be completed and signed
31 by the physician or advanced registered nurse practitioner in
32 charge of the patient's care for the illness or condition
33 which resulted in death within seventy-two hours after receipt
34 of the death certificate from the funeral director or
35 individual who initially assumes custody of the body, except

1 when inquiry is required by the county medical examiner. When
2 inquiry is required by the county medical examiner, the
3 medical examiner shall investigate the cause of death and
4 shall complete and sign the medical certification within
5 seventy-two hours after determination of the cause of death.

6 Sec. 6. Section 144.31, unnumbered paragraph 1, Code 2003,
7 is amended to read as follows:

8 The medical certification shall be completed within twenty-
9 four hours after delivery by the physician or advanced
10 registered nurse practitioner in attendance at or after
11 delivery except when inquiry is required by the county medical
12 examiner.

13

EXPLANATION

14 This bill provides for authorization for the determination
15 of time of death and signing of a death certificate by an
16 advanced registered nurse practitioner. The bill defines an
17 "advanced registered nurse practitioner" as a registered nurse
18 licensed pursuant to Code chapter 152 or licensed in another
19 state and recognized for licensure in this state pursuant to
20 the nurse licensure compact contained in Code chapter 152E,
21 who has completed an advanced formal academic nursing
22 education program in a specialty area approved by the board of
23 nursing, and who meets additional qualification criteria as
24 determined by the board of nursing by rule. The bill provides
25 for the addition of advanced registered nurse practitioners to
26 current Code sections authorizing the determination of the
27 time of death and signing of a death certificate by a
28 physician. Specifically, the bill authorizes an advanced
29 registered nurse practitioner to examine or copy a document of
30 anatomical gift upon the death of an organ donor, and that in
31 addition to a physician, the time of death may be determined
32 by, and certificate of death signed by, an advanced registered
33 nurse practitioner who attends the donor at death. The bill
34 also provides for certification of a fetal death by an
35 advanced registered nurse practitioner.