

HB 1299

2007

1 A bill to be entitled
2 An act relating to death and fetal death registration;
3 amending s. 382.008, F.S.; providing for advanced
4 registered nurse practitioners to provide certification of
5 death or fetal death; providing an effective date.
6

7 Be It Enacted by the Legislature of the State of Florida:
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9 Section 1. Subsections (2), (3), (4), and (5) of section
10 382.008, Florida Statutes, are amended to read:

11 382.008 Death and fetal death registration.--

12 (2)(a) The funeral director who first assumes custody of a
13 dead body or fetus shall file the certificate of death or fetal
14 death. In the absence of the funeral director, the physician,
15 advanced registered nurse practitioner, or other person in
16 attendance at or after the death shall file the certificate of
17 death or fetal death. The person who files the certificate shall
18 obtain personal data from the next of kin or the best qualified
19 person or source available. The medical certification of cause
20 of death shall be furnished to the funeral director, either in
21 person or via certified mail, by the physician, advanced
22 registered nurse practitioner, or medical examiner responsible
23 for furnishing such information. For fetal deaths, the
24 physician, midwife, advanced registered nurse practitioner, or
25 hospital administrator shall provide any medical or health
26 information to the funeral director within 72 hours after
27 expulsion or extraction.

HB 1299

2007

28 (b) The State Registrar may receive electronically a
29 certificate of death or fetal death which is required to be
30 filed with the registrar under this chapter through facsimile or
31 other electronic transfer for the purpose of filing the
32 certificate. The receipt of a certificate of death or fetal
33 death by electronic transfer constitutes delivery to the State
34 Registrar as required by law.

35 (3) Within 72 hours after receipt of a death or fetal
36 death certificate from the funeral director, the medical
37 certification of cause of death shall be completed and made
38 available to the funeral director by the physician or advanced
39 registered nurse practitioner in charge of the decedent's care
40 for the illness or condition which resulted in death, the
41 physician or advanced registered nurse practitioner in
42 attendance at the time of death or fetal death or immediately
43 before or after such death or fetal death, or the medical
44 examiner if the provisions of s. 382.011 apply. The physician,
45 advanced registered nurse practitioner, or medical examiner
46 shall certify over his or her signature the cause of death to
47 the best of his or her knowledge and belief.

48 (a) The local registrar may grant the funeral director an
49 extension of time upon a good and sufficient showing of any of
50 the following conditions:

- 51 1. An autopsy is pending.
- 52 2. Toxicology, laboratory, or other diagnostic reports
53 have not been completed.
- 54 3. The identity of the decedent is unknown and further
55 investigation or identification is required.

HB 1299

2007

56 (b) If the physician, advanced registered nurse
57 practitioner, or medical examiner has indicated that he or she
58 will sign and complete the medical certification of cause of
59 death, but will not be available until after the 5-day
60 registration deadline, the local registrar may grant an
61 extension of 5 days. If a further extension is required, the
62 funeral director must provide written justification to the
63 registrar.

64 (4) If the local registrar has granted an extension of
65 time to provide the medical certification of cause of death, the
66 funeral director shall file a temporary certificate of death or
67 fetal death which shall contain all available information,
68 including the fact that the cause of death is pending. The
69 physician, advanced registered nurse practitioner, or medical
70 examiner shall provide an estimated date for completion of the
71 permanent certificate.

72 (5) A permanent certificate of death or fetal death,
73 containing the cause of death and any other information which
74 was previously unavailable, shall be registered as a replacement
75 for the temporary certificate. The permanent certificate may
76 also include corrected information if the items being corrected
77 are noted on the back of the certificate and dated and signed by
78 the funeral director, physician, advanced registered nurse
79 practitioner, or medical examiner, as appropriate.

80 Section 2. This act shall take effect July 1, 2007.