

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.

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 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.

28           (b)   The State Registrar may receive electronically a

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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.

56 (b) If the physician, advanced registered nurse

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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, 2011.