

By Senator Jones

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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
5 certification of death or fetal death; providing an
6 effective date.

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8 Be It Enacted by the Legislature of the State of Florida:

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10 Section 1. Subsections (2), (3), (4), and (5) of section
11 382.008, Florida Statutes, are amended to read:

12 382.008 Death and fetal death registration.—

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

29 (b) The State Registrar may receive electronically a

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

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

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

52 1. An autopsy is pending.

53 2. Toxicology, laboratory, or other diagnostic reports have
54 not been completed.

55 3. The identity of the decedent is unknown and further
56 investigation or identification is required.

57 (b) If the physician, advanced registered nurse
58 practitioner, or medical examiner has indicated that he or she

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59 will sign and complete the medical certification of cause of
60 death, but will not be available until after the 5-day
61 registration deadline, the local registrar may grant an
62 extension of 5 days. If a further extension is required, the
63 funeral director must provide written justification to the
64 registrar.

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

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

81 Section 2. This act shall take effect July 1, 2011.