

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on State, Civic, Military, & Veterans Affairs.

HB25-1082 be amended as follows:

1 Amend printed bill, page 2, strike lines 3 and 4 and substitute:

2 "(1)(b)(I), (1)(b)(III), (3)(a), (3)(a.5)(I) introductory portion,
3 (3)(a.5)(I)(B), (3)(a.5)(I)(C), (3)(a.5)(II), (4), (4.5), and (6); and **add** (12)
4 as follows:

5 **25-2-110. Certificates of death - definitions.** (1) (b) (I) The
6 department of public health and environment shall create and the state
7 registrar shall use an electronic death registration system for the purpose
8 of collecting death information from funeral directors, coroners,
9 physicians, PHYSICIAN ASSISTANTS, ADVANCED PRACTICE REGISTERED
10 NURSES, local registrars, health facilities, and other authorized
11 individuals, as determined by the department. Death information
12 submitted electronically by a funeral director, coroner, physician,
13 PHYSICIAN ASSISTANT, ADVANCED PRACTICE REGISTERED NURSE, local
14 registrar, health facility, or authorized individual, as determined by the
15 department, to the electronic death registration system for purposes of
16 fulfilling the requirements of this section satisfies the signature and filing
17 requirements of this section and section 30-10-606. ~~C.R.S.~~

18 (III) Except as otherwise provided in subsection (4.5) of this
19 section, any individual, other than a family member of the decedent or
20 other individual ~~acting~~ ASSISTING in a nonprofessional capacity ~~as the~~
21 ~~funeral director~~ for the decedent, who is required to initiate, complete,
22 respond to, or file a certificate of death pursuant to this section must use
23 the electronic death registration system used by the state registrar.

24 (3) (a) The funeral director or ~~person acting as such~~ INDIVIDUAL
25 ASSISTING IN A NONPROFESSIONAL CAPACITY who first assumes custody
26 of a dead body, stillborn fetus, or dead fetus is responsible for the filing
27 of the certificate of death required by subsection (1) of this section within
28 seventy-two hours after receipt of the electronic death registration request
29 unless the physician, their associate physician, THE PHYSICIAN ASSISTANT,
30 THE ADVANCED PRACTICE REGISTERED NURSE, the chief medical officer
31 of the institution in which the death occurred, or the physician who
32 performs an autopsy upon the decedent is unable to complete the medical
33 certification for the certificate of death within the required time frame.
34 The funeral director shall obtain the personal data required by the
35 certificate from the next of kin or the best qualified person or source
36 available. The funeral director shall obtain the medical certification
37 necessary to complete the portion of the certificate pertaining to the cause
38 of death from the best qualified person or source available, pursuant to
39 subsection (4) of this section.

40 (a.5) (I) Except as otherwise provided in subsection (3)(a.5)(II) of

1 this section, if a decedent had an established primary care physician,
2 PHYSICIAN ASSISTANT, OR ADVANCED PRACTICE REGISTERED NURSE, the
3 primary care physician, PHYSICIAN ASSISTANT, OR ADVANCED PRACTICE
4 REGISTERED NURSE is responsible for completing the medical certification
5 for the certificate of death in accordance with subsections (1)(a) and (4)
6 of this section if:

7 (B) The decedent received medical care from the primary care
8 physician, PHYSICIAN ASSISTANT, OR ADVANCED PRACTICE REGISTERED
9 NURSE within a year of the death;

10 (C) The death occurred when the decedent was not under the
11 direct care of another physician, PHYSICIAN ASSISTANT, OR ADVANCED
12 PRACTICE REGISTERED NURSE charged with the patient's care during the
13 illness or condition that resulted in death; and

14 (II) If, within a year of the death, the decedent had been treated by
15 a physician, PHYSICIAN ASSISTANT, OR ADVANCED PRACTICE REGISTERED
16 NURSE other than the decedent's established primary care physician,
17 PHYSICIAN ASSISTANT, OR ADVANCED PRACTICE REGISTERED NURSE for a
18 chronic condition or terminal illness related to the decedent's death and
19 the conditions set forth in subsections (3)(a.5)(I)(A) and (3)(a.5)(I)(D) of
20 this section are met, that physician, PHYSICIAN ASSISTANT, OR ADVANCED
21 PRACTICE REGISTERED NURSE is responsible for completing the medical
22 certification for the certificate of death in accordance with subsection (4)
23 of this section.

24 (4) Except when inquiry is required by any provision of section
25 30-10-606 other than section 30-10-606 (1)(b), the physician, PHYSICIAN
26 ASSISTANT, OR ADVANCED PRACTICE REGISTERED NURSE in charge of the
27 patient's care for the illness or condition that resulted in death shall
28 complete the medical certification for the certificate of death within
29 seventy-two hours after receipt of the electronic death registration request
30 or, before March 1, 2024, only, for a physician, PHYSICIAN ASSISTANT, OR
31 ADVANCED PRACTICE REGISTERED NURSE who is not yet registered to use
32 and using the electronic death registration system used by the department
33 of public health and environment and the state registrar pursuant to
34 subsection (1)(b)(I) of this section, within seventy-two hours after
35 receiving notice that a medical certification for a certificate of death must
36 be completed. In the absence of ~~said~~ THE physician, PHYSICIAN
37 ASSISTANT, OR ADVANCED PRACTICE REGISTERED NURSE or with the
38 physician's, PHYSICIAN ASSISTANT'S, OR ADVANCED PRACTICE REGISTERED
39 NURSE'S approval, the certificate may be completed and signed by an
40 associate physician, PHYSICIAN ASSISTANT, ADVANCED PRACTICE
41 REGISTERED NURSE, ~~by~~ the chief medical officer of the institution in
42 which the death occurred, or ~~by~~ the physician who performed an autopsy
43 upon the decedent, if such individual has access to the medical history of

1 the case, if said individual views the decedent at or after the time of
2 death, and if the death is due to natural causes. If the death is or may be
3 due to unnatural causes, a physician, PHYSICIAN ASSISTANT, OR
4 ADVANCED PRACTICE REGISTERED NURSE required to complete a medical
5 certification for a certificate of death in accordance with this subsection
6 (4) shall notify the coroner or the medical examiner when an inquiry or
7 an autopsy is required to be performed pursuant to sections 30-10-606 and
8 30-10-606.5. On and after March 1, 2024, a physician's, PHYSICIAN
9 ASSISTANT'S, OR ADVANCED PRACTICE REGISTERED NURSE'S repeated or
10 willful failure without reasonable cause to comply with timely completion
11 of a medical certification for a certificate of death in accordance with
12 subsection (1)(a) of this section and this subsection (4) constitutes
13 unprofessional conduct, as defined in section 12-240-121 (1)(hh). If an
14 autopsy is performed, the certification shall indicate whether the decedent
15 was pregnant at the time of death, and ~~said~~ THE information shall be
16 reported on the death certificate as required by subsection (9) of this
17 section. Except as otherwise provided in subsection (4.5) of this section,
18 the physician, PHYSICIAN ASSISTANT, OR ADVANCED PRACTICE
19 REGISTERED NURSE or, in their absence, their designee in accordance with
20 this subsection (4), shall complete the medical certification for a
21 certificate of death required by this subsection (4) using the electronic
22 death registration system used by the department of public health and
23 environment and the state registrar pursuant to subsection (1)(b)(I) of this
24 section.

25 (4.5) (a) The".

26 Page 2, after line 14 insert:

27 "(6) If the cause of death cannot be determined within forty-eight
28 hours after a death, the medical certification shall be completed as
29 provided by rule. If an autopsy is performed, the certification shall
30 indicate whether the decedent was pregnant at the time of death, and ~~said~~
31 THE information shall be reported on the death certificate as required by
32 subsection (9) of this section. The attending physician, PHYSICIAN
33 ASSISTANT, ADVANCED PRACTICE REGISTERED NURSE, or coroner shall
34 give the funeral director or ~~person acting as such notice~~ INDIVIDUAL
35 ASSISTING IN A NONPROFESSIONAL CAPACITY of the reason for the delay,
36 and final disposition of the body shall not be made until authorized by the
37 office designated or established pursuant to section 25-2-103 in the
38 county where the death occurred or, if such an office does not exist in the
39 county where the death occurred, final disposition of the body shall not
40 be made until authorized by the coroner or the coroner's designee."

1 Page 2, after line 19 insert:

2 "SECTION 2. In Colorado Revised Statutes, 25-2-111, **amend**
3 (1) as follows:

4 **25-2-111. Dead bodies - disposition - removal from state -**
5 **records.** (1) ~~Any person requested to act as funeral director for a dead~~
6 ~~body or otherwise whoever~~ A FUNERAL DIRECTOR OR INDIVIDUAL
7 ASSISTING IN A NONPROFESSIONAL CAPACITY WHO first assumes custody
8 of a dead body shall, prior to final disposition of the body, obtain
9 authorization for final disposition of the body. The office designated or
10 established pursuant to section 25-2-103 in the county where the death
11 occurred or, if such an office does not exist in the county where the death
12 occurred, the coroner or the coroner's designee shall authorize final
13 disposition of the body on a form prescribed and furnished by the state
14 registrar. No body shall be buried, cremated, deposited in a vault or tomb,
15 or otherwise disposed of, nor shall any body be removed from this state,
16 until such authorization has been obtained, completed, and approved. The
17 coroner or the coroner's designee shall include in the authorization notice
18 of the requirements of subsection (7) of this section."

19 Renumber succeeding section accordingly.

** *** ** *** **