

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

4 **25-2-110. Certificates of death - definitions.** (1) (b) (I) The  
5 department of public health and environment shall create and the state  
6 registrar shall use an electronic death registration system for the purpose  
7 of collecting death information from funeral directors, coroners,  
8 physicians, PHYSICIAN ASSISTANTS, ADVANCED PRACTICE REGISTERED  
9 NURSES, local registrars, health facilities, and other authorized  
10 individuals, as determined by the department. Death information  
11 submitted electronically by a funeral director, coroner, physician,  
12 PHYSICIAN ASSISTANT, ADVANCED PRACTICE REGISTERED NURSE, local  
13 registrar, health facility, or authorized individual, as determined by the  
14 department, to the electronic death registration system for purposes of  
15 fulfilling the requirements of this section satisfies the signature and filing  
16 requirements of this section and section 30-10-606. C.R.S.

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

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

39 (a.5) (I) Except as otherwise provided in subsection (3)(a.5)(II) of  
40 this section, if a decedent had an established primary care physician,  
41 PHYSICIAN ASSISTANT, OR ADVANCED PRACTICE REGISTERED NURSE, the

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

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

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

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

22 (4) Except when inquiry is required by any provision of section  
23 30-10-606 other than section 30-10-606 (1)(b), the physician, PHYSICIAN  
24 ASSISTANT, OR ADVANCED PRACTICE REGISTERED NURSE in charge of the  
25 patient's care for the illness or condition that resulted in death shall  
26 complete the medical certification for the certificate of death within  
27 seventy-two hours after receipt of the electronic death registration request  
28 or, before March 1, 2024, only, for a physician, PHYSICIAN ASSISTANT, OR  
29 ADVANCED PRACTICE REGISTERED NURSE who is not yet registered to use  
30 and using the electronic death registration system used by the department  
31 of public health and environment and the state registrar pursuant to  
32 subsection (1)(b)(I) of this section, within seventy-two hours after  
33 receiving notice that a medical certification for a certificate of death must  
34 be completed. In the absence of ~~said~~ THE physician, PHYSICIAN  
35 ASSISTANT, OR ADVANCED PRACTICE REGISTERED NURSE or with the  
36 physician's, PHYSICIAN ASSISTANT'S, OR ADVANCED PRACTICE REGISTERED  
37 NURSE'S approval, the certificate may be completed and signed by an  
38 associate physician, PHYSICIAN ASSISTANT, ADVANCED PRACTICE  
39 REGISTERED NURSE, ~~by~~ the chief medical officer of the institution in  
40 which the death occurred, or ~~by~~ the physician who performed an autopsy  
41 upon the decedent, if such individual has access to the medical history of  
42 the case, if said individual views the decedent at or after the time of  
43 death, and if the death is due to natural causes. If the death is or may be

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

23 (4.5) (a) The".

24 Page 2, after line 14 insert:

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

39 Page 2, after line 19 insert:

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

3                   **25-2-111. Dead bodies - disposition - removal from state -**  
4                   **records.** (1) ~~Any person requested to act as funeral director for a dead~~  
5                   ~~body or otherwise whoever~~ A FUNERAL DIRECTOR OR INDIVIDUAL  
6                   ASSISTING IN A NONPROFESSIONAL CAPACITY WHO first assumes custody  
7                   of a dead body shall, prior to final disposition of the body, obtain  
8                   authorization for final disposition of the body. The office designated or  
9                   established pursuant to section 25-2-103 in the county where the death  
10                  occurred or, if such an office does not exist in the county where the death  
11                  occurred, the coroner or the coroner's designee shall authorize final  
12                  disposition of the body on a form prescribed and furnished by the state  
13                  registrar. No body shall be buried, cremated, deposited in a vault or tomb,  
14                  or otherwise disposed of, nor shall any body be removed from this state,  
15                  until such authorization has been obtained, completed, and approved. The  
16                  coroner or the coroner's designee shall include in the authorization notice  
17                  of the requirements of subsection (7) of this section.".

18                  Renumber succeeding section accordingly.

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