

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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