

Second Regular Session  
Seventy-fifth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 26-0623.01 Josh Schultz x5486

HOUSE BILL 26-1296

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HOUSE SPONSORSHIP

Bradley and Carter, Espenoza

SENATE SPONSORSHIP

Ball and Rich,

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House Committees

State, Civic, Military, & Veterans Affairs

Senate Committees

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A BILL FOR AN ACT

101 CONCERNING DISCIPLINE FOR ADVANCED PRACTICE REGISTERED  
102 NURSES FOR A FAILURE TO TIMELY COMPLETE A MEDICAL  
103 CERTIFICATION FOR A CERTIFICATE OF DEATH.

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Bill Summary

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)*

**Statutory Revision Committee.** House Bill 25-1082 added physician assistants and advanced practice registered nurses to the professions subject to discipline for a failure to timely complete a medical certification for a certificate of death. The bill adds the repeated or willful failure, without reasonable cause, to comply with the requirements of

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
Capital letters or bold & italic numbers indicate new material to be added to existing law.  
Dashes through the words or numbers indicate deletions from existing law.

completing a medical certification for a certificate of death to the grounds for discipline in the "Nurse and Nurse Aide Practice Act".

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1 *Be it enacted by the General Assembly of the State of Colorado:*

2           **SECTION 1.** In Colorado Revised Statutes, 25-2-110, **amend** (4)  
3 as follows:

4           **25-2-110. Certificates of death - electronic death registration**  
5 **system - amended certificate of death following a change in gender -**  
6 **rules - definitions.**

7           (4) (a) Except when inquiry is required by any provision of section  
8 30-10-606 other than section 30-10-606 (1)(b), the physician, physician  
9 assistant, or advanced practice registered nurse in charge of the patient's  
10 care for the illness or condition that resulted in death shall complete the  
11 medical certification for the certificate of death within seventy-two hours  
12 after receipt of the electronic death registration request or, before March  
13 1, 2024, only, for a physician, physician assistant, or advanced practice  
14 registered nurse who is not yet registered to use and using the electronic  
15 death registration system used by the department of public health and  
16 environment and the state registrar pursuant to subsection (1)(b)(I) of this  
17 section, within seventy-two hours after receiving notice that a medical  
18 certification for a certificate of death must be completed. In the absence  
19 of the physician, physician assistant, or advanced practice registered nurse  
20 or with the physician's, physician assistant's, or advanced practice  
21 registered nurse's approval, the certificate may be completed and signed  
22 by an associate physician, physician assistant, advanced practice  
23 registered nurse, the chief medical officer of the institution in which the  
24 death occurred, or the physician who performed an autopsy upon the  
25 decedent, if such individual has access to the medical history of the case,

1 if said individual views the decedent at or after the time of death, and if  
2 the death is due to natural causes. If the death is or may be due to  
3 unnatural causes, a physician, physician assistant, or advanced practice  
4 registered nurse required to complete a medical certification for a  
5 certificate of death in accordance with this subsection (4) shall notify the  
6 coroner or the medical examiner when an inquiry or an autopsy is  
7 required to be performed pursuant to sections 30-10-606 and 30-10-606.5.

8 (b) (I) On and after March 1, 2024, a physician's OR A physician  
9 assistant's ~~or advanced practice registered nurse's~~ repeated or willful  
10 failure without reasonable cause to comply with timely completion of a  
11 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).

14 (II) ON AND AFTER THE EFFECTIVE DATE OF THIS SUBSECTION  
15 (4)(b)(II), AN ADVANCED PRACTICE REGISTERED NURSE'S REPEATED OR  
16 WILLFUL FAILURE WITHOUT REASONABLE CAUSE TO COMPLY WITH TIMELY  
17 COMPLETION OF A MEDICAL CERTIFICATION FOR A CERTIFICATE OF DEATH  
18 IN ACCORDANCE WITH SUBSECTION (1)(a) OF THIS SECTION AND THIS  
19 SUBSECTION (4) IS GROUNDS FOR DISCIPLINE, AS DEFINED IN SECTION  
20 12-255-120 (1)(ii).

21 (III) If an autopsy is performed, the MEDICAL certification shall  
22 indicate whether the decedent was pregnant at the time of death, and the  
23 information shall be reported on the death certificate as required by  
24 subsection (9) of this section. Except as otherwise provided in subsection  
25 (4.5) of this section, the physician, physician assistant, or advanced  
26 practice registered nurse, or, in their absence, their designee in  
27 accordance with this subsection (4), shall complete the medical

1 certification for a certificate of death required by this subsection (4) using  
2 the electronic death registration system used by the department of public  
3 health and environment and the state registrar pursuant to subsection  
4 (1)(b)(I) of this section.

5 **SECTION 2.** In Colorado Revised Statutes, 12-255-120, **amend**  
6 (1)(gg) and (1)(hh); and **add** (1)(ii) as follows:

7 **12-255-120. Grounds for discipline - definitions.**

8 (1) "Grounds for discipline", as used in this part 1, means any  
9 action by any person who:

10 (gg) Is diverting or has diverted a controlled substance, as defined  
11 in section 18-18-102 (5), or any other drug having similar effects from the  
12 person's place of employment; ~~or~~

13 (hh) Has been convicted of an offense under section 18-13-131.  
14 For purposes of this subsection (1)(hh), "convicted" includes the entry of  
15 a plea of guilty or nolo contendere or the imposition of a deferred  
16 sentence; OR

17 (ii) REPEATEDLY OR WILLFULLY FAILS, WITHOUT REASONABLE  
18 CAUSE, TO COMPLY WITH THE REQUIREMENTS OF COMPLETING A MEDICAL  
19 CERTIFICATION FOR A CERTIFICATE OF DEATH IN ACCORDANCE WITH ANY  
20 APPLICABLE DEADLINE SET FORTH IN SECTION 25-2-110.

21 **SECTION 3. Act subject to petition - effective date.** This act  
22 takes effect at 12:01 a.m. on the day following the expiration of the  
23 ninety-day period after final adjournment of the general assembly (August  
24 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a  
25 referendum petition is filed pursuant to section 1 (3) of article V of the  
26 state constitution against this act or an item, section, or part of this act  
27 within such period, then the act, item, section, or part will not take effect

1 unless approved by the people at the general election to be held in  
2 November 2026 and, in such case, will take effect on the date of the  
3 official declaration of the vote thereon by the governor.