

HOUSE COMMITTEE OF REFERENCE REPORT

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Chair of Committee

February 3, 2025  
Date

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

After consideration on the merits, the Committee recommends the following:

HB25-1082 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 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** (1)(e) and (12) as  
4 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       (e) A PHYSICIAN ASSISTANT OR ADVANCED PRACTICE REGISTERED  
25 NURSE SHALL REVIEW THE TRAINING MATERIALS REGARDING SIGNING A  
26 DEATH CERTIFICATE PROVIDED BY THE DEPARTMENT OF PUBLIC HEALTH  
27 AND ENVIRONMENT BEFORE THE FIRST TIME THEY SIGN A DEATH  
28 CERTIFICATE.

1           (3) (a) The funeral director or ~~person acting as such~~ INDIVIDUAL  
2 ASSISTING IN A NONPROFESSIONAL CAPACITY who first assumes custody  
3 of a dead body, stillborn fetus, or dead fetus is responsible for the filing  
4 of the certificate of death required by subsection (1) of this section within  
5 seventy-two hours after receipt of the electronic death registration request  
6 unless the physician, their associate physician, THE PHYSICIAN ASSISTANT,  
7 THE ADVANCED PRACTICE REGISTERED NURSE, the chief medical officer  
8 of the institution in which the death occurred, or the physician who  
9 performs an autopsy upon the decedent is unable to complete the medical  
10 certification for the certificate of death within the required time frame.  
11 The funeral director shall obtain the personal data required by the  
12 certificate from the next of kin or the best qualified person or source  
13 available. The funeral director shall obtain the medical certification  
14 necessary to complete the portion of the certificate pertaining to the cause  
15 of death from the best qualified person or source available, pursuant to  
16 subsection (4) of this section.

17           (a.5) (I) Except as otherwise provided in subsection (3)(a.5)(II) of  
18 this section, if a decedent had an established primary care physician,  
19 PHYSICIAN ASSISTANT, OR ADVANCED PRACTICE REGISTERED NURSE, the  
20 primary care physician, PHYSICIAN ASSISTANT, OR ADVANCED PRACTICE  
21 REGISTERED NURSE is responsible for completing the medical certification  
22 for the certificate of death in accordance with subsections (1)(a) and (4)  
23 of this section if:

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

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

31           (II) If, within a year of the death, the decedent had been treated by  
32 a physician, PHYSICIAN ASSISTANT, OR ADVANCED PRACTICE REGISTERED  
33 NURSE other than the decedent's established primary care physician,  
34 PHYSICIAN ASSISTANT, OR ADVANCED PRACTICE REGISTERED NURSE for a  
35 chronic condition or terminal illness related to the decedent's death and  
36 the conditions set forth in subsections (3)(a.5)(I)(A) and (3)(a.5)(I)(D) of  
37 this section are met, that physician, PHYSICIAN ASSISTANT, OR ADVANCED  
38 PRACTICE REGISTERED NURSE is responsible for completing the medical  
39 certification for the certificate of death in accordance with subsection (4)  
40 of this section.

41           (4) Except when inquiry is required by any provision of section  
42 30-10-606 other than section 30-10-606 (1)(b), the physician, PHYSICIAN  
43 ASSISTANT, OR ADVANCED PRACTICE REGISTERED NURSE in charge of the

1 patient's care for the illness or condition that resulted in death shall  
2 complete the medical certification for the certificate of death within  
3 seventy-two hours after receipt of the electronic death registration request  
4 or, before March 1, 2024, only, for a physician, PHYSICIAN ASSISTANT, OR  
5 ADVANCED PRACTICE REGISTERED NURSE who is not yet registered to use  
6 and using the electronic death registration system used by the department  
7 of public health and environment and the state registrar pursuant to  
8 subsection (1)(b)(I) of this section, within seventy-two hours after  
9 receiving notice that a medical certification for a certificate of death must  
10 be completed. In the absence of ~~said~~ THE physician, PHYSICIAN  
11 ASSISTANT, OR ADVANCED PRACTICE REGISTERED NURSE or with the  
12 physician's, PHYSICIAN ASSISTANT'S, OR ADVANCED PRACTICE REGISTERED  
13 NURSE'S approval, the certificate may be completed and signed by an  
14 associate physician, PHYSICIAN ASSISTANT, ADVANCED PRACTICE  
15 REGISTERED NURSE, ~~by~~ the chief medical officer of the institution in  
16 which the death occurred, or ~~by~~ the physician who performed an autopsy  
17 upon the decedent, if such individual has access to the medical history of  
18 the case, if ~~said~~ individual views the decedent at or after the time of  
19 death, and if the death is due to natural causes. If the death is or may be  
20 due to unnatural causes, a physician, PHYSICIAN ASSISTANT, OR  
21 ADVANCED PRACTICE REGISTERED NURSE required to complete a medical  
22 certification for a certificate of death in accordance with this subsection  
23 (4) shall notify the coroner or the medical examiner when an inquiry or  
24 an autopsy is required to be performed pursuant to sections 30-10-606 and  
25 30-10-606.5. On and after March 1, 2024, a physician's, PHYSICIAN  
26 ASSISTANT'S, OR ADVANCED PRACTICE REGISTERED NURSE'S repeated or  
27 willful failure without reasonable cause to comply with timely completion  
28 of a medical certification for a certificate of death in accordance with  
29 subsection (1)(a) of this section and this subsection (4) constitutes  
30 unprofessional conduct, as defined in section 12-240-121 (1)(hh). If an  
31 autopsy is performed, the certification shall indicate whether the decedent  
32 was pregnant at the time of death, and ~~said~~ THE information shall be  
33 reported on the death certificate as required by subsection (9) of this  
34 section. Except as otherwise provided in subsection (4.5) of this section,  
35 the physician, PHYSICIAN ASSISTANT, OR ADVANCED PRACTICE  
36 REGISTERED NURSE or, in their absence, their designee in accordance with  
37 this subsection (4), shall complete the medical certification for a  
38 certificate of death required by this subsection (4) using the electronic  
39 death registration system used by the department of public health and  
40 environment and the state registrar pursuant to subsection (1)(b)(I) of this  
41 section.

42 (4.5) (a) The".

1 Page 2, after line 14 insert:

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

16 Page 2, after line 19 insert:

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

19 **25-2-111. Dead bodies - disposition - removal from state -**  
20 **records.** (1) ~~Any person requested to act as funeral director for a dead~~  
21 ~~body or otherwise whoever~~ A FUNERAL DIRECTOR OR INDIVIDUAL  
22 ASSISTING IN A NONPROFESSIONAL CAPACITY WHO first assumes custody  
23 of a dead body shall, prior to final disposition of the body, obtain  
24 authorization for final disposition of the body. The office designated or  
25 established pursuant to section 25-2-103 in the county where the death  
26 occurred or, if such an office does not exist in the county where the death  
27 occurred, the coroner or the coroner's designee shall authorize final  
28 disposition of the body on a form prescribed and furnished by the state  
29 registrar. No body shall be buried, cremated, deposited in a vault or tomb,  
30 or otherwise disposed of, nor shall any body be removed from this state,  
31 until such authorization has been obtained, completed, and approved. The  
32 coroner or the coroner's designee shall include in the authorization notice  
33 of the requirements of subsection (7) of this section."

34 Renumber succeeding section accordingly.

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