

1                   **PHYSICIAN ASSISTANT VITAL STATISTICS ACT**

2                                   **AMENDMENTS**

3   2018 GENERAL SESSION

4   STATE OF UTAH

5                                   **Chief Sponsor: Curtis S. Bramble**

6                                   House Sponsor: \_\_\_\_\_

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8   **LONG TITLE**

9   **General Description:**

10           This bill allows certain individuals who are licensed as a physician assistant to practice  
11 as a health care professional under the Utah Vital Statistics Act.

12 **Highlighted Provisions:**

13           This bill:

- 14           ▶ adds certain physician assistants to the list of individuals who can practice as a
- 15 health care professional under the Utah Vital Statistics Act; and
- 16           ▶ creates requirements that a physician assistant must meet in order to practice as a
- 17 health care professional under the Utah Vital Statistics Act.

18 **Money Appropriated in this Bill:**

19           None

20 **Other Special Clauses:**

21           None

22 **Utah Code Sections Affected:**

23 AMENDS:

24           **26-2-2**, as last amended by Laws of Utah 2015, Chapters 137 and 184

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26 *Be it enacted by the Legislature of the state of Utah:*

27           Section 1. Section **26-2-2** is amended to read:



28 **26-2-2. Definitions.**

29 As used in this chapter:

30 (1) "Adoption document" means an adoption-related document filed with the office, a  
31 petition for adoption, a decree of adoption, an original birth certificate, or evidence submitted  
32 in support of a supplementary birth certificate.33 [~~(2)~~] "~~Advanced practice registered nurse~~" means a person licensed to practice as an  
34 ~~advanced practice registered nurse in this state under Title 58, Chapter 31b, Nurse Practice~~  
35 ~~Act.~~]36 [~~(3)~~] (2) "Custodial funeral service director" means a funeral service director who:

37 (a) is employed by a licensed funeral establishment; and

38 (b) has custody of a dead body.

39 [~~(4)~~] (3) "Dead body" or "decedent" means a human body or parts of the human body  
40 from the condition of which it reasonably may be concluded that death occurred.41 [~~(5)~~] (4) "Dead fetus" means a product of human conception, other than those  
42 circumstances described in Subsection [76-7-301](#)(1):43 (a) of 20 weeks' gestation or more, calculated from the date the last normal menstrual  
44 period began to the date of delivery; and

45 (b) that was not born alive.

46 [~~(6)~~] (5) "Declarant father" means a male who claims to be the genetic father of a child,  
47 and, along with the biological mother, signs a voluntary declaration of paternity to establish the  
48 child's paternity.49 [~~(7)~~] (6) "Dispositioner" means:50 (a) a person designated in a written instrument, under Subsection [58-9-602](#)(1), as  
51 having the right and duty to control the disposition of the decedent, if the person voluntarily  
52 acts as the dispositioner; or

53 (b) the next of kin of the decedent, if:

54 (i) (A) a person has not been designated as described in Subsection [~~(7)~~] (6)(a); or55 (B) the person described in Subsection [~~(7)~~] (6)(a) is unable or unwilling to exercise  
56 the right and duty described in Subsection [~~(7)~~] (6)(a); and

57 (ii) the next of kin voluntarily acts as the dispositioner.

58 [~~(8)~~] (7) "File" means the submission of a completed certificate or other similar

59 document, record, or report as provided under this chapter for registration by the state registrar  
60 or a local registrar.

61 ~~[(9)]~~ (8) "Funeral service director" means the same as that term is defined in Section  
62 58-9-102.

63 ~~[(10)]~~ (9) "Health care facility" means the same as that term is defined in Section  
64 26-21-2.

65 ~~[(11)]~~ (10) "Health care professional" means a physician, physician assistant, or nurse  
66 practitioner.

67 ~~[(12)]~~ (11) "Licensed funeral establishment" means a funeral service establishment, as  
68 defined in Section 58-9-102, that is licensed under Title 58, Chapter 9, Funeral Services  
69 Licensing Act.

70 ~~[(13)]~~ (12) "Live birth" means the birth of a child who shows evidence of life after the  
71 child is entirely outside of the mother.

72 ~~[(14)]~~ (13) "Local registrar" means a person appointed under Subsection 26-2-3(3)(b).

73 ~~[(15)]~~ (14) "Nurse practitioner" means an ~~[advanced practice registered nurse~~  
74 ~~specializing as a nurse practitioner]~~ individual who:

75 (a) is licensed to practice as an advanced practice registered nurse under Title 58,  
76 Chapter 31b, Nurse Practice Act; and

77 (b) has completed an education program regarding the completion of a certificate of  
78 death developed by the department by administrative rule ~~[adopted]~~ made in accordance with  
79 Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

80 ~~[(16)]~~ (15) "Office" means the Office of Vital Records and Statistics within the  
81 Department of Health, operating under Title 26, Chapter 2, Utah Vital Statistics Act.

82 ~~[(17)]~~ (16) "Physician" means a person licensed to practice as a physician or osteopath  
83 in this state under Title 58, Chapter 67, Utah Medical Practice Act, or Title 58, Chapter 68,  
84 Utah Osteopathic Medical Practice Act.

85 (17) "Physician assistant" means an individual who:

86 (a) is licensed to practice as a physician assistant under Title 58, Chapter 70a,  
87 Physician Assistant Act;

88 (b) has completed an education program regarding the completion of a certificate of  
89 death developed by the department by administrative rule made in accordance with Title 63G,

90 Chapter 3, Utah Administrative Rulemaking Act; and

91 (c) is practicing as a physician assistant under a delegation of services agreement that  
92 states that the individual may complete and sign a certificate of death.

93 (18) "Presumed father" means the father of a child conceived or born during a marriage  
94 as defined in Section 30-1-17.2.

95 (19) "Registration" or "register" means acceptance by the local or state registrar of a  
96 certificate and incorporation of the certificate into the permanent records of the state.

97 (20) "State registrar" means the state registrar of vital records appointed under  
98 Subsection 26-2-3(2)(e).

99 (21) "Vital records" means:

100 (a) registered certificates or reports of birth, death, fetal death, marriage, divorce,  
101 dissolution of marriage, or annulment;

102 (b) amendments to any of the registered certificates or reports described in Subsection  
103 (21)(a);

104 (c) an adoption document; and

105 (d) other similar documents.

106 (22) "Vital statistics" means the data derived from registered certificates and reports of  
107 birth, death, fetal death, induced termination of pregnancy, marriage, divorce, dissolution of  
108 marriage, or annulment.

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**Legislative Review Note**  
**Office of Legislative Research and General Counsel**