



UTAH STATE SENATE

UTAH STATE CAPITOL COMPLEX • 320 STATE CAPITOL
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February 4, 2020

Mr. President,

The Health and Human Services Committee reports a favorable recommendation on **S.B. 70**, DETERMINATION OF DEATH AMENDMENTS, by Senator K. Grover, with the following amendments:

1. Page 2, Line 43 through Page 3, Line 67:

- 43 (2) A registered nurse may make a determination of death of an individual if:
44 (a) an attending physician has ~~:~~
 (i) documented in the individual's medical or clinical record
45 that the individual's death is anticipated due to illness, infirmity, or disease no
 {~~earlier~~} later than 180
46 days {~~before the date of the determination of death~~} after the day on which
 the physician makes the documentation; and
 (ii) established clear assessment procedures for determining death; and
 (b) the death actually occurs within the 180-day period described in Subsection
 (2)(a) ; and
47 {~~(b)~~} (c) at the time of the documentation described in Subsection (2)(a),
 the physician
48 authorized the following, in writing, to make the determination of death:
49 (i) one or more specific registered nurses; or
50 (ii) if the individual is in a health care facility that has complied with Subsection (5),
51 all registered nurses that the facility employs.
52 (3) A registered nurse who has determined death under this section shall:
53 (a) document the clinical criteria for the determination in the individual's medical or

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54 clinical record;
55 (b) notify the physician described in Subsection (2) ~~{(b)}~~ ; and
56 (c) ensure that the death certificate includes:
57 (i) the name of the deceased;
58 (ii) the presence of a contagious disease, if known; and
59 (iii) the date and time of death ~~;-and~~
60 ~~(d) sign the death certificate~~ .
61 (4) Except as otherwise provided by law or rule, a physician licensed under Title 58,
62 Chapter 67, Utah Medical Practice Act, or Title 58, Chapter 68, Utah Osteopathic
63 Medical
64 Practice Act, shall certify a determination of death described in Subsection (3) within 24
65 hours
66 after the registered nurse makes the determination of death.
67 (5) (a) For a health care facility to be eligible for a general authorization described
in
Subsection (2) ~~{(b)}~~ (c) , the facility shall adopt written policies and procedures
that provide for the
determination of death by a registered nurse under this section.

Respectfully,

Ronald Winterton
Chair

Voting: 7-0-1

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