

## AN ACT

1 Amending the act of June 29, 1953 (P.L.304, No.66), entitled "An  
2 act providing for the administration of a statewide system of  
3 vital statistics; prescribing the functions of the State  
4 Department of Health, the State Advisory Health Board and  
5 local registrars; imposing duties upon coroners,  
6 prothonotaries, clerks of orphans' court, physicians,  
7 midwives and other persons; requiring reports and  
8 certificates for the registration of vital statistics;  
9 regulating the disposition of dead bodies; limiting the  
10 disclosure of records; prescribing the sufficiency of vital  
11 statistics records as evidence; prescribing fees and  
12 penalties; and revising and consolidating the laws relating  
13 thereto," further providing for death and fetal death  
14 registration; providing for deceased veteran notification to  
15 county government; and further providing for referral of  
16 deaths to coroner, for permits concerning dead bodies and  
17 fetal remains, for registration permits concerning dead  
18 bodies and fetal remains, for regulations and for  
19 registrations.

20 The General Assembly of the Commonwealth of Pennsylvania  
21 hereby enacts as follows:

22 Section 1. Section 501 of the act of June 29, 1953 (P.L.304,  
23 No.66), known as the Vital Statistics Law of 1953, amended July  
24 5, 2012 (P.L.942, No.101), is amended to read:

25 Section 501. Death and Fetal Death Registration:  
26 Certificates to be Filed.--A certificate of each death or fetal

1 death which occurs in this Commonwealth shall be filed within  
2 four (4) business days after the death or fetal death or within  
3 four (4) business days after the finding of a dead body or fetal  
4 remains. In every instance, the certificate shall be filed prior  
5 to the issuance of a permit for interment, final disposition or  
6 other disposition of the dead body or fetal remains. The legally  
7 authorized person in charge of interment or of removal of the  
8 dead body or fetal remains from the registration district shall  
9 file the certificate with any local registrar or the State  
10 Registrar of Vital Statistics, who shall be authorized to issue  
11 certified copies of such death.

12 Section 2. The act is amended by adding a section to read:

13 Section 502.1. Deceased Veteran Notification to County  
14 Government.--For purposes of determining veterans benefits  
15 available to deceased veterans or surviving family members, a  
16 funeral director, as defined by the act of January 14, 1952  
17 (1951 P.L.1898, No.522), known as the "Funeral Director Law," or  
18 a legally authorized person in charge of interment or final  
19 disposition, shall make every reasonable effort to determine if  
20 the deceased had served in the United States Armed Forces during  
21 a period of war or armed conflict in which the United States was  
22 engaged or during peacetime. Upon determination that the  
23 deceased is a veteran of the United States Armed Forces, the  
24 funeral director or legally authorized person in charge of  
25 interment or final disposition shall provide notification of the  
26 veteran's death to the county veterans affairs office of the  
27 county where the deceased veteran is to be interred or to the  
28 location of final disposition. Notification shall be transmitted  
29 to the appropriate county veterans affairs office by completion  
30 of a standardized form prescribed by the Department of Military

1 and Veterans Affairs. The forms shall be transmitted to the  
2 appropriate county within thirty (30) days after proof of  
3 military service has been provided to the funeral director or  
4 legally authorized person in charge of interment or final  
5 disposition.

6 Section 3. Section 503 of the act, amended June 22, 2012  
7 (P.L.644, No.68), is amended to read:

8 Section 503. Death and Fetal Death Registration: Coroner  
9 Referrals.--The local registrar or legally authorized person in  
10 charge of interment or [other person] final disposition having  
11 knowledge of the death or fetal death shall refer to the coroner  
12 the following cases: (1) where no physician, certified  
13 registered nurse practitioner or dentist who is a staff member  
14 of an approved hospital was in attendance during the last  
15 illness of the deceased or in the case of a fetal death where  
16 there was no attending physician or certified registered nurse  
17 practitioner or (2) where the physician, certified registered  
18 nurse practitioner or dentist who is a staff member of an  
19 approved hospital in attendance during the last illness of the  
20 deceased or the attending physician or certified registered  
21 nurse practitioner in the case of a fetal death is physically  
22 unable to supply the necessary data, or (3) where the  
23 circumstances suggest that the death was sudden or violent or  
24 suspicious in nature or was the result of other than natural  
25 causes, or (4) where the physician, certified registered nurse  
26 practitioner, dentist or coroner who provided or would provide  
27 the medical certification is a member of the immediate family of  
28 the deceased. In every instance of a referral under this  
29 section, the coroner shall make an immediate investigation and  
30 shall supply the necessary data, including the medical

1 certification of the death or fetal death. In no event shall a  
2 coroner sign a certificate of death or fetal death for a  
3 deceased who was a member of his immediate family.

4 Section 4. Section 504 of the act, amended July 2, 2009  
5 (P.L.52, No.11), is amended to read:

6 Section 504. Death and Fetal Death Registration: Permits  
7 Concerning Dead Bodies and Fetal Remains.--No person shall  
8 dispose of a dead body or fetal remains until a local registrar  
9 or the State Registrar of Vital Statistics issues a permit for  
10 disposal. The local registrar or the State Registrar of Vital  
11 Statistics shall be authorized to issue the permit and may issue  
12 blank presigned permits to the funeral director only. The  
13 funeral director or [the] legally authorized person in charge of  
14 interment, final disposition or removal shall, within ninety-six  
15 (96) hours after the death or fetal death or within ninety-six  
16 (96) hours after the finding of a dead body or fetal remains,  
17 file with the local registrar a certificate of death or fetal  
18 death.

19 The sexton or other person in charge of any premises in which  
20 bodies are interred or cremated shall not allow the interment  
21 [or], cremation or final disposition of any dead body or fetal  
22 remains unless a permit issued under this section is presented  
23 to the sexton. The sexton or other person in charge of the  
24 premises shall indorse upon each permit presented to the sexton  
25 or other person the date of interment [or], cremation[,] or  
26 final disposition over the sexton's or other person's signature,  
27 and shall return the permit so indorsed to the local registrar  
28 of the sexton's or other person's district or the State  
29 Registrar of Vital Statistics within ten days from the date of  
30 interment [or], cremation or final disposition.

1 Section 5. Section 506 of the act, amended November 20, 1981  
2 (P.L.338, No.123), is amended to read:

3 Section 506. Death and Fetal Death Registration: Regulations  
4 Concerning Dead Bodies and Fetal Remains.--The Advisory Health  
5 Board shall make and may amend or repeal regulations governing  
6 disposal, transportation, interment, final disposition and  
7 disinterment of dead bodies and fetal remains, in order to  
8 protect the public health and promote the integrity and efficacy  
9 of death and fetal death registration. However, the Advisory  
10 Health Board shall not, pursuant to the authority contained in  
11 this or any other act, promulgate any regulation which would  
12 require that the top of the outer case containing a casket be  
13 buried a distance of more than two feet from the natural surface  
14 of the ground.

15 Section 6. Section 507 of the act, amended June 22, 2012  
16 (P.L.644, No.68), is amended to read:

17 Section 507. Death and Fetal Death Registrations:  
18 Pronouncement of Death by a Professional Nurse.--(a)  
19 Professional nurses licensed under the act of May 22, 1951  
20 (P.L.317, No.69), known as "The Professional Nursing Law," who  
21 are involved in direct care of a patient shall have the  
22 authority to pronounce death as determined under the act of  
23 December 17, 1982 (P.L.1401, No.323), known as the "Uniform  
24 Determination of Death Act," in the case of death from natural  
25 causes of a patient who is under the care of a physician or  
26 certified registered nurse practitioner when the physician or  
27 certified registered nurse practitioner is unable to be present  
28 within a reasonable period of time to certify the cause of  
29 death.

30 (b) Professional nurses shall have the authority to release

1 the body of the deceased to a funeral director or legally  
2 authorized person after notice has been given to the attending  
3 physician or certified registered nurse practitioner, when the  
4 deceased has an attending physician or certified registered  
5 nurse practitioner, and to a family member.

6 (c) If circumstances surrounding the nature of death are not  
7 anticipated and require a coroner's investigation, the  
8 professional nurse shall notify the county coroner, and the  
9 authority to release the body of the deceased to the funeral  
10 director or legally authorized person shall be that of the  
11 coroner.

12 (d) Except as provided for under sections 502 and 503, this  
13 section provides for the pronouncement of death by professional  
14 nurses in accordance with the "Uniform Determination of Death  
15 Act," but in no way authorizes a nurse to determine the cause of  
16 death. The responsibility for determining the cause of death  
17 remains with the physician, certified registered nurse  
18 practitioner or the coroner as provided under this act.

19 (e) (1) Professional nurses and employing agencies of  
20 professional nurses acting in good faith and in compliance with  
21 the guidelines established by this act and the State Board of  
22 Nursing shall be immune from liability claims by reason of  
23 pronouncing death.

24 (2) Nothing contained in this section shall be deemed to  
25 impose any obligation upon a professional nurse to carry out the  
26 function authorized by this act.

27 (3) Nothing in this section is intended to relieve a  
28 professional nurse of any civil or criminal liability that might  
29 otherwise be incurred for failing to follow the rules and  
30 regulations of the State Board of Nursing.

1       (4) Nothing in this section shall preempt the requirements  
2 of the provisions of 20 Pa.C.S. Ch. 86 (relating to anatomical  
3 gifts).

4       Section 7. This act shall take effect immediately.