

# SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

**BILL NO.** Senate Bill 1080

**PRINTER NO.** 1396

**AMOUNT**

No Fiscal Impact

**FUND**

General Fund

**DATE INTRODUCED**

February 23, 2024

**PRIME SPONSOR**

Senator Culver

**DESCRIPTION**

Senate Bill 1080 amends the Vital Statistics Law to authorize practical nurses to pronounce the death of patients in hospice care.

The bill authorizes practical nurses to pronounce death if all of the following are met:

- The patient is in the care of a licensed hospice;
- The patient has a valid Do Not Resuscitate Order;
- The practical nurse is conducting a focused assessment to identify the cessation of circulatory and respiratory functions; and
- The practical nurse has received requisite training.

The bill clarifies that if circumstances surrounding the nature of death are not anticipated and require a coroner’s investigation, the practical nurse shall notify the county coroner, and the authority to release the body to the funeral director shall be that of the coroner.

The bill provides that this act does not authorize a practical nurse to determine the cause of death, the responsibility for which remains with the physician, certified nurse practitioner or coroner.

Senate Bill 1080 requires hospices to conduct an initial training upon hiring, an annual training and an annual assessment of the skills and competence of a practical nurse who will assess vital signs of a patient to determine cessation of circulatory and respiratory function. Each nurse must be trained for a minimum of three hours in vital signs, postmortem care, grief training and circumstances requiring a coroner’s investigation.

The bill mandates hospices to have written policies and procedures describing its method of assessment of competency and to maintain a written description of the in-service training provided during the previous twelve months.

The bill provides that a practical nurse, employing agency of a practical nurse, State Board of Nursing and the Department of Health shall be immune from liability claims by reason of pronouncing death under this section.

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The bill stipulates that a practical nurse shall have the authority to pronounce death in accordance with procedural regulations as may be promulgated by the State Board of Nursing within 18 months of the effective date.

This act shall take effect in 60 days.

## **FISCAL IMPACT:**

Enactment of Senate Bill 1080 will have no fiscal impact on Commonwealth funds.