



March 24, 2022

The Honorable Liz Snyder  
Alaska House of Representatives  
State Capitol Room 421  
Juneau, AK 99801

Dear Representative Snyder,

On behalf of the Alaska Academy of Physicians Assistants (AKAPA), representing over 550 Physician Assistants (PA) across the state, we respectfully request your consideration for the addition of PAs to HB 392. As proposed, your legislation would remove expand to enable advanced providers to pronounce and certify death, authorize do not resuscitate orders, and life sustaining treatments.

PAs are highly qualified medical professionals who work as part of a healthcare team. PAs diagnose illness, develop and manage treatment plans, prescribe medications, and can often serve as a patient's principal healthcare provider. To ensure that PAs can practice at the top of their education and training and increase patient access to care, states are changing PA laws to better reflect the capabilities of PAs and the autonomy with which PAs deliver care.

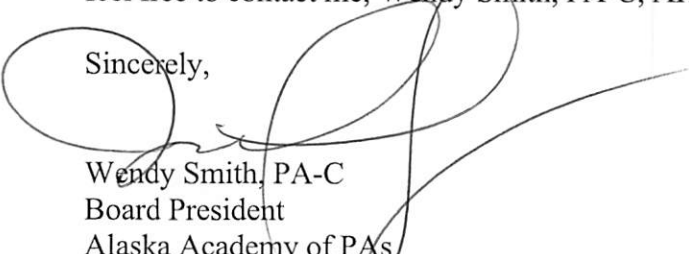
Most states have provisions in law and/or regulation on who may pronounce and certify death. The majority of states allow for the provision of these services by PAs. Of the 34 states that have provisions on pronouncing death, there are 26 that allow a PA to perform this action. Additionally, every state has language on who may sign a medical certification of death. State law in 28 states provides that a PA may complete and/or sign the medical certification of death.

With regards to life sustaining treatment and do not resuscitate orders, forty-one states and the District of Columbia have adopted a process for patients to instruct health care providers on the type of life-sustaining treatment they are willing to undergo. These instructions are typically executed via a form which goes by many names, including Physician/Provider Order for Life-Sustaining Treatment (POLST), Medical Order for Scope of Treatment (MOST), and others. Thirty states and D.C. allow PAs to sign POLST-style forms.

Adding PAs to HB 392 would allow them to provide services that are well within the scope of their training, education, and experience. As well as accepted practice in a majority of the United States.

We sincerely appreciate your consideration in adding PAs to HB 392 and hope we can have your support. Please feel free to contact me, Wendy Smith, PA-C, AKAPA President with any questions or comments at 907-321-3222.

Sincerely,

  
Wendy Smith, PA-C  
Board President  
Alaska Academy of PAs



## **PA Authority to Pronounce and Certify Death and Sign Death Certificates**

States vary when it comes to which healthcare (or other) professionals may pronounce or certify death and sign death certificates. The attached chart is a state-by-state, comprehensive summary of which professionals may perform each act. For all columns, a bullet mark indicates that PAs may perform the specified action. Details on each action are described below.

### **Pronouncing Death**

Most states have provisions in law or regulation which define who may pronounce death. Some states use “determine death” or “determination of death” in place of “pronounce death” or “pronouncement of death.” Seventeen states lack statutory or regulatory language regarding the pronouncement or determination of death: Alabama, Florida, Idaho, Illinois, Maine, Maryland, Minnesota, Mississippi, Montana, New York, North Carolina, Oregon, South Dakota, Utah, Vermont, Washington, and Wyoming.

Of the jurisdictions with language regarding pronouncement or determination of death, twenty-six allow a PA to perform this action. These include Alaska, Arizona, Connecticut, the District of Columbia, Georgia, Hawaii, Indiana, Iowa, Kansas, Massachusetts, Michigan, Missouri, Nebraska, Nevada, New Hampshire, New Jersey, North Dakota, Ohio, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, Washington, West Virginia, and Wisconsin (effective 4/1/22). However, ten of these states only allow a PA to perform this action in certain cases: Alaska, Connecticut, Iowa, Kansas, Massachusetts, Michigan, Nevada, Ohio, Texas, Virginia, and Washington. States which do not allow PAs to pronounce or determine death typically require a physician or coroner to do so; however, three states (Arkansas, Delaware, and New Mexico) also allow a registered nurse to perform this action. Kentucky also allows paramedics to pronounce or determine death.

### **Certification of Death**

Every state (and D.C.) has statutory or regulatory language regarding who may complete and/or sign a medical certification of death. This may or may not be a separate step from the pronouncement or determination of death and/or the actual signing of a death certificate. States may require the certification of death to include a cause of death or information on the decedent’s medical history.

A PA may complete and/or sign a medical certification of death in twenty-eight states: Arizona, California, Connecticut, Georgia, Idaho, Indiana, Iowa, Kentucky, Maine, Maryland, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, North Carolina, North Dakota, Oregon, Pennsylvania, South Carolina, South Dakota, Texas, Utah, Vermont, Virginia, Washington, West Virginia, and Wyoming. The other jurisdictions require a physician or coroner to perform this

action; however, seven states (Delaware, Florida, Hawaii, Montana, Nevada, New Mexico, New York) also allow an APRN to do so. Arkansas allows an RN to certify death.

### **Signing the Death Certificate**

Every state (and D.C.) has statutory or regulatory language regarding who may sign a death certificate. This is often, but not always, a separate action from completing or signing the medical certification of death. A PA may sign death certificates in twenty-six states (Arizona, Arkansas, California, Connecticut, Idaho, Indiana, Iowa, Kentucky, Maine, Maryland, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Oregon, South Carolina, South Dakota, Texas, Vermont, Virginia, Washington, West Virginia, and Wyoming). Thirteen states (Alabama, Colorado, Florida, Georgia, Kansas, Louisiana, Massachusetts, Michigan, Mississippi, Nevada, Ohio, Tennessee, and Wisconsin) require a physician or coroner to sign a death certificate.

Ten states allow other professionals to sign death certificates, but not PAs: Alaska (RN), Delaware (Physician or APRN), Florida (physician or APRN), Hawaii (Physician or APRN), Illinois (funeral director), Minnesota (state registrar), Montana (physician, APRN, coroner), New Mexico (Physician or NP), Oklahoma (funeral director), and Rhode Island (funeral director).

### **U.S. Standard Certificate of Death**

All but three jurisdictions (Colorado, Maryland, and West Virginia) use the [U.S. Standard Certificate of Death](#) or a form based on this certificate. This form is a key component of the National Vital Statistics System (NVSS) within the Centers for Disease Control and Prevention (CDC), which collects, compiles, and shares vital statistics data it receives from states. While many jurisdictions using the standard certificate allow PAs and other professionals to sign it, the form itself and the accompanying handbook refer only to physicians. AAPA continues to advocate for a change in the CDC form to clarify PA signature authority.

State	Pronounce	Certify	Sign Certificate
Alabama	No language	Physician	Physician*
Alaska	• <sup>1</sup>	Physician	Physician/RN*
Arizona	•	•	• *
Arkansas	Physician/RN	Physician/RN	• *
California	Physician	•	• *
Colorado	Physician/Coroner	Physician/Coroner	Physician
Connecticut	• <sup>2</sup>	•	• *
Delaware	Physician/RN/APRN	Physician/APRN	Physician/APRN *
District of Columbia	•	Physician	• <sup>3*</sup>
Florida	No language	Physician/APRN	Physician/APRN*
Georgia	•	•	Physician <sup>4*</sup>
Hawaii	•	Physician/APRN	Physician/APRN*
Idaho	No language	•	• *
Illinois	No language	Physician	Funeral Director*
Indiana	•	•	•*
Iowa	• <sup>5</sup>	•	• *
Kansas	• <sup>6</sup>	Physician/Coroner	Physician/Coroner *
Kentucky	Physician/Paramedic	•	•*
Louisiana	Physician/coroner	Physician/Coroner	Physician/Coroner*
Maine	No language	•	• *
Maryland	No language	•	•
Massachusetts	• <sup>7</sup>	Physician	Physician*
Michigan	• <sup>8</sup>	Physician	Physician*
Minnesota	No language	•	State Registrar*
Mississippi	No language	Physician	Physician*
Missouri	•	•	• *
Montana	No language	Physician/APRN/ Coroner	Physician/APRN/Coroner*
Nebraska	•	•	• *
Nevada	• <sup>9</sup>	Physician/APRN	Physician/Coroner *

<sup>1</sup> Only in certain cases.

<sup>2</sup> Only in certain cases. See Conn. Gen. Stat. §20-12d.

<sup>3</sup> Although PAs have authentication language which indicates they should be able to sign death certificates, they are not currently being allowed to do so in practice.

<sup>4</sup> PAs may sign in certain circumstances. See Ga. Code Ann. § 31-10-15(c)(2).

<sup>5</sup> Only in certain cases. See Iowa Code §148C.4.

<sup>6</sup> Only in certain cases, pursuant to guidance from Kansas State Board of Healing Arts.

<sup>7</sup> Only if the decedent was a patient under the PA's care, and only if the PA first "makes a reasonable effort to contact the attending physician or medical examiner before making such determination or pronouncement." See ALM GL ch. 46, § 9.

<sup>8</sup> Michigan statute specifically authorizes physicians and RNs to pronounce death; however, it also allows facilities to determine which of its staff to pronounce death notwithstanding the physician/nurse language. See Mich. Comp. Laws § 333.1033. Anecdotally, PAs in these settings have been authorized to pronounce death.

<sup>9</sup> Only in certain cases. See Nev. Rev. Stat. Ann. §440.415.

State	Pronounce	Certify	Sign Certificate
New Hampshire	•	•	• *
New Jersey	•	•	• *
New Mexico	Physician/RN	Physician/NP	Physician/NP*
New York	No language	Physician/NP	• <sup>10*</sup>
North Carolina	No language	•	• *
North Dakota	•	•	• *
Ohio	• <sup>11</sup>	Physician/Coroner	Physician/Coroner*
Oklahoma	Physician	Physician	Funeral director*
Oregon	No language	•	• *
Pennsylvania	•	•	• <sup>12*</sup>
Rhode Island	Physician	Physician	Funeral Director*
South Carolina	•	•	•
South Dakota	No language	•	• *
Tennessee	•	Physician	Physician *
Texas	• <sup>13</sup>	•	• *
Utah	No language	•	• <sup>14*</sup>
Vermont	No language	•	• *
Virginia	• <sup>15</sup>	•	• *
Washington	• <sup>16</sup>	•	• *
West Virginia	•	•	•
Wisconsin	• <sup>17</sup>	Physician	Physician*
Wyoming	No language <sup>18</sup>	•	• *

\*State uses U.S. Standard Certificate of Death or similar form which only refers to physicians. States using the form are determined using the most recent National Vital Statistics Report assembled by the CDC’s National Vital Statistics System.

*The information contained in this chart is condensed and accurate as of June 23, 2021. This document is intended for background purposes only. For a complete and current version of statutes and regulations, AAPA encourages you to visit the state’s legislative and regulatory websites. Many states are currently working on improvements to existing PA statutes and regulations. For information on pending improvements, please contact AAPA.*

<sup>10</sup> Statute states that only physicians and NPs may sign; however, the state Department of Health offered written guidance in 2013 indicating that PAs could also perform this function.

<sup>11</sup> Only in certain cases. See Ohio Rev. Code Ann. 4730.202.

<sup>12</sup> Like D.C., there is authentication language in statute, but PAs are not currently allowed to sign death certificates.

<sup>13</sup> Only in certain cases. See Tex. Health & Safety Code §671.001.

<sup>14</sup> Like D.C., there is authentication language in statute, but PAs are not currently allowed to sign death certificates.

<sup>15</sup> Only in certain cases. See Va. Code Ann. § 54.1-2972.

<sup>16</sup> No language, but [county guidance](#) indicates that PAs may pronounce death in the state.

<sup>17</sup> Effective 4/1/2022.

<sup>18</sup> Regulation states that the pronouncement of death is not the practice of medicine and does not require licensure, but it does not list who may pronounce death. See Wyo. Code R. § 052-0001-3.