



PROPOSED RULE 4731-14-01: Pronouncement of death.

Current Rule 4731-14-01 is proposed to be amended by more than fifty percent and, therefore, must be rescinded and a new rule must be adopted.

The proposed changes to the current rule include the following:

1. Physician assistants, certified nurse practitioners, clinical nurse specialists, and registered nurses are added to the listing of persons who are authorized to pronounce death. The listing refers to the provisions of the Ohio Revised Code that set limits on the authority to do so.
2. Podiatrists who have current certification in Advanced Cardiac Life Support (ACLS) and holders of certificates of conceded eminence are added as being able to pronounce death.
3. In general, the draft rule requires that persons listed as being authorized to serve as competent observers must hold current certification in ACLS. This requirement is not applicable to persons who are also authorized to pronounce death and coroner's investigators.

4731-14-01

Pronouncement of death.

(A) Only an individual holding one of the following current certificates or licenses may pronounce a person dead:

(1) A certificate to practice medicine and surgery or osteopathic medicine and surgery issued under sections 4731.14 or 4731.29 of the Revised Code;

(2) A training certificate issued under section 4731.291 of the Revised Code;

(3) A clinical research faculty certificate issued under section 4731.293 of the Revised Code;

(4) A special activities certificate issued under section 4731.294 of the Revised Code;

(5) A certificate of authority to practice as a certified nurse practitioner or clinical nurse specialist issued under section 4723.42 of the Revised Code, when the holder acts in compliance with section 4723.36 of the Revised Code;

(6) A license to practice as a registered nurse issued under section 4723.09 of the Revised Code, when the holder acts in compliance with section 4723.36 of the Revised Code.

(7) A license to practice as a physician assistant issued under section 4730.12 of the Revised Code, when the holder acts in compliance with section 4730.202 of the Revised Code;

(8) A certificate of conceded eminence issued under section 4731.297 of the Revised Code;

(9) A certificate to practice podiatric medicine and surgery issued under sections 4731.56 or 4731.571 of the Revised Code who holds current certification in advanced cardiac life support.

(B) A physician holding a current certificate to practice medicine or surgery or osteopathic medicine and surgery issued under sections 4731.14 or 4731.29 of the Revised Code may pronounce a person dead without personally examining the body of the deceased only if a competent observer has recited the facts of the deceased's present medical condition to the physician and the physician is satisfied that death has occurred.

(C) For purposes of this rule a competent observer shall mean one of the following:

(1) A licensed practical nurse holding a current license issued under Chapter 4723. of the Revised Code and current certification in advanced cardiac life support;

*** DRAFT - NOT YET FILED ***

4731-14-01

2

- (2) An EMT-Basic holding a current certificate pursuant to section 4765.30 of the Revised Code and current certification in advanced cardiac life support;
- (3) An EMT-Intermediate holding a current certificate pursuant to section 4765.30 of the Revised Code and current certification in advanced cardiac life support;
- (4) A EMT - Paramedic holding a current certificate pursuant to section 4765.30 of the Revised Code and current certification in advanced cardiac life support;
- (5) A chiropractor holding a current certificate issued under Chapter 4734. of the Revised Code who holds current certification in advanced cardiac life support;
- (6) An individual authorized to pronounce a person dead under paragraph (A) of this rule;
- (7) A coroner's investigator as referenced in section 313.05 of the Revised Code.