An Act amending title 19 Virgin Islands Code, chapter 37, subchapter III adding section 870 to authorized registered nurses and certified registered nurse practitioners employed by a licensed hospice, or certified nursing home to determine and pronounce death under certain specified conditions; and requiring the Department of Health to promulgate implementing regulations.

PROPOSED BY: Senator Novelle E. Francis, Jr.

Be it enacted by the Legislature of the Virgin Islands:

SECTION 1. Title 19 Virgin Islands Code, chapter 37, subchapter III is amended by adding a section 870, to read as follows:

“§870. Pronouncement of death by registered nurses and certified registered nurse practitioners; conditions

(a) As used in this section:

(1) “Anticipated Death” means death that is, in the opinion of the attending physician, expected due to illness, infirmity, or disease.
determination and pronouncement in the patient’s medical or clinical record, and shall notify
the certifying physician.

(e) The body of the decedent may not be removed until notice of the
pronouncement of death has been given to the attending physician or the medical examiner.

(f) The Department of Health shall promulgate regulations necessary to carry out
the purpose of this section.

SECTION 2. The Department of Health shall promulgate regulations implementing
the provisions for section 1 not later than 180 days of enactment after this act.”

BILL SUMMARY

The bill amends title 19 Virgin Islands Code, chapter 37, subchapter III by adding
section 870 which allows a registered nurse, or a certified registered nurse practitioner
employed by a certified home health agency, licensed hospice, or certified nursing home to
make a determination of and pronounce the death of a patient under certain conditions. The
bill also establishes the conditions under which a pronouncement of death may be made;
requires that the attending physician authorize in writing the names of the registered nurses,
or certified registered nurse practitioners authorized to make a pronouncement of death; and
provides that the body of the decedent may not be removed until notice of the pronouncement
has been given to the attending physician or the medical examiner. Finally, section 1 of the
bill requires that the Department of Health shall promulgate regulations implementing the
provisions of this section within 180 days of enactment of this statute. Section 2 requires the
Department of Health shall promulgate regulations implementing the provisions for section 1
within 180 days of enactment of this act.