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FISCAL IMPACT REPORT

ORIGINAL DATE 01/28/09

SPONSOR Cote LAST UPDATED _____ HB 170

SHORT TITLE Allow Nurses To Sign Death Certificates SB _____

ANALYST Hankie-Ortiz

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY09	FY10		
	NFI		

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Department of Health (DOH)

Health Policy Commission (HPC)

New Mexico Medical Board (NMMB)

SUMMARY

Synopsis of Bill

House Bill 170 proposes to amend the Vital Statistics Act Section 24-14-20 NMSA 1978 to allow certified nurse practitioners to complete and sign medical certifications of cause of death.

FISCAL IMPLICATIONS

HB 170 contains no Appropriation. However, DOH may incur costs to establish and implement training sessions on death certification for certified nurse practitioners (CNP). Those costs should be able to be absorbed within existing resources.

SIGNIFICANT ISSUES

Existing law provides that physicians in charge of the patient's care for the illness or condition that resulted in death complete and sign the medical certification of cause of death. A registered nurse employed by a nursing home or hospital may only pronounce the death pursuant to facility protocols.

Some patients may be under the direct care of a CNP, and not that of a physician. A certified nurse practitioner is a registered nurse who has completed advanced nursing education and training. A CNP is licensed by the state board of nursing to exam, diagnose and treat various health problems, interpret labs and X-rays, prescribe and manage medications and other therapies, and provide health education and referrals.

PERFORMANCE IMPLICATIONS

The NM Medical Board did not identify any significant issues with the proposed amendment to the Vital Statistics Act.

DOH reports that the medical certification includes the cause of death as well as other information about the patient's individual circumstances. If the patient is under the care of a CNP, that practitioner is likely to have more intimate knowledge of those circumstances. In these situations, a medical certification done by the attending CNP may result in more complete and higher quality data.

ADMINISTRATIVE IMPLICATIONS

DOH reports the bill will require updating the electronic vital records system (EVitals), to be performed by the vendor.

TECHNICAL ISSUES

Include physician assistants (PA) as persons also permitted to complete and sign medical certifications of cause of death. Include registered nurses for hospice as persons also allowed to pronounce death.

OTHER SUBSTANTIVE ISSUES

The increasing cost of medical care combined with the growth and aging of the population are placing increasing demands on the state's health delivery system. New Mexico is facing a critical shortage in health professionals.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Certified Nurse Practitioners will continue to not be able to complete and sign the medical certification of cause of death for their patients.

AHO/mc