



South Carolina Department of Labor, Licensing and Regulation

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QUESTION: Is it within the role and scope of responsibilities of the registered nurse (RN) and licensed practical nurse (LPN) to make pronouncements of death in a health care institution or in the home as a representative of an agency where care is being provided?

The Board of Nursing for South Carolina acknowledges that Regulation 61-19 of the Department of Health and Environmental Control (DHEC) speaks to the preparation, signing, and filing of the death certificate, which requires the signature of a physician, medical examiner or coroner to certify death. Although neither the South Carolina Medical Practice Act nor the South Carolina Nurse Practice Act states that pronouncing or declaring death is a medical act which must be performed by a licensed physician, pronouncing or declaring death has consistently been viewed as meaning a function of the person who certifies death.

The RN may not make pronouncements of death under state law; however, it is within the role and scope of the RN to utilize guidelines established by a healthcare institution or home care agency to make an assessment of death. The RN may assess that a person has died and notify the appropriate persons, including the physician, supervisory personnel, family, and funeral home staff. Furthermore, the Board of Nursing acknowledges the

importance of a health care institution or home care agency establishing a policy statement concerning the assessment of death by the RN, with appropriate input from the institution's nursing staff, medical staff and legal counsel.

It is NOT within the scope of practice of the LPN to make pronouncements or assessments of death.

This statement is an advisory opinion of the Board of Nursing as to what constitutes competent and safe nursing practice.