



February 24, 2025

NOTICE OF PROPOSED RULEMAKING

Chapter 511-1-3 “Vital Records”

The Department of Public Health proposes revisions to the rules located in Chapter 511-1-3, “Vital Records” pursuant to its authority under Georgia Code Sections Code sections 31-2A-6, 31-10-3, 31-10-15.

The purpose of the proposed rulemaking is to amend Rule 511-1-3.19, entitled “Reporting of Deaths,” to describe the circumstances where a cause of death report may be completed by advanced practice registered nurses and/or physician assistants, and to clarify additional individuals who are permitted to complete the cause of death report during a state of emergency due to an influenza pandemic.

The proposed rules are posted on the Department's website <http://dph.georgia.gov/regulationsrule-making>. Interested persons may submit comments on these proposed revisions in writing addressed to:

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Written comments must be submitted on or before March 13, 2025. Oral comments may be presented online or via phone at a public meeting scheduled for 1:00 PM on Wednesday, March 12, 2025. To join the public meeting:

- To join by computer:
<https://gapublichealth.webex.com/gapublichealth/j.php?MTID=md4056b401dd2bec590a4ce69e42ec69e>
- To join by phone:
+1-415-655-0001 US Toll

Access Code: 2536 040 4541

The Commissioner of Public Health will consider the proposed rules for adoption on or about March 24, 2025, to become effective on or about April 23, 2025.

Jeff Rickman

Jeffrey T. Rickman
General Counsel
Georgia Department of Public Health

**RULES OF THE
DEPARTMENT OF PUBLIC HEALTH**

**CHAPTER 511-1
ADMINISTRATION**

**511-1-3
VITAL RECORDS**

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Rule 511-1-3-.19 Reporting of Deaths.

Rule 511-1-3-.19 Reporting of Deaths.

- (1) **For whom required.** A report of death shall be filed for the following persons:
 - (a) A person who dies in this State;
 - (b) A person whose body is discovered in this State;
 - (c) A person who dies on a moving conveyance and whose body is first removed from the conveyance in this State; and
 - (d) A spontaneous fetal death occurring in this State.
- (2) **Manner of reporting.** Death reports, including the certification of cause of death, shall be filed electronically with the Office of Vital Records in such manner as may be determined by the State Registrar.
- (3) **Information to be reported.** A report of death shall include the following information, if known or ascertainable from the decedent's next of kin or the best qualified person or source available:
 - (a) Decedent's full legal name;
 - (b) Decedent's date of birth;
 - (c) Decedent's date of death. If the date of death is unknown, then the date on which the body was found shall be entered.
 - (d) Place of death.
 1. If unknown, then the place where the body was found shall be entered.
 2. If death occurred on a moving conveyance within the United States, then the place where the body was first removed from the conveyance shall be used.
 3. If death occurred on a moving conveyance in international waters or airspace, then the actual place of death insofar as it can be determined shall be entered.
 - (e) Cause of death, in accordance with subsection (5) of this Rule.
 - (f) Any other such information as the State Registrar may require.
- (4) **Who must file.** The report of death shall be filed by the funeral director who first assumes custody of the body, unless a death report was previously made by the hospital or other institution in which death occurred.
- (5) **Cause of death.** The electronic death report filed in accordance with subsections (1) through (4) of this Rule shall be supplemented by an electronic report of the cause of death. The cause of death shall be reported by:
 - (a) The attending physician, if the decedent is a non-resident burn victim that dies in a treatment facility in this State;

(b) The physician attending the decedent for the illness or condition which resulted in death;

(c) The advanced practice registered nurse acting pursuant to a nurse protocol agreement attending the decedent for the illness or condition which resulted in death;

(d) The licensed physician assistant acting pursuant to a job description attending the decedent for the illness or condition which resulted in death; or

~~(e)~~ If there is no attending ~~healthcare practitioner~~ ~~physician~~ as provided in subsection (5)(b)-
(d) of this Rule, or with ~~such physician's~~ approval from the physician attending the decedent for the illness or condition which resulted in death, certification of the cause of death may be made by any of the following persons, provided they had access to the decedent's medical history, viewed the decedent at or after death, and death occurred due to natural causes:

1. A physician who is an associate of the attending physician;
2. The chief medical officer of the institution in which death occurred;
3. A physician who performed an autopsy on the decedent; or
4. If death occurred without medical attendance, or if inquiry was required by Title 45, Chapter 16, Article 2, then by the county medical examiner or coroner.

(df) A determination of the cause of death must be made by the responsible physician, advanced practice registered nurse, physician assistant, medical examiner, or coroner; however, the task of reporting that determination to the Office of Vital Records may be delegated to a person under his or her supervision.

(eg) Notwithstanding any other provision of this Rule, if death occurs during a state of emergency declared by the Governor due to an influenza pandemic, then cause of death may be certified and reported by any registered professional nurse employed by a long-term care facility, registered nurse employed by a home health agency, or nursing supervisor employed by a hospital, or physician's assistant, provided that such person had access to the decedent's medical history, viewed the decedent at or after death, ~~and~~ death occurred due to natural causes, and an inquiry is not required by Title 45, Chapter 16, Article 2.

(6) When reporting is due.

(a) The report of death shall be made within three calendar days after death.

(b) Certification of the cause of death shall be made within three calendar days after death; provided, however, that if death occurred without medical attendance, or in cases subject to inquiry under Title 45, Chapter 16, Article 2, certification shall be made within 30 days after notification of death.

(c) If for any reason the cause of death cannot be determined within 48 hours after death, then "pending" shall be entered on the death report and amended promptly after the determination is made. Until the cause of death is certified, final disposition of the body shall not

be made unless authorized by the attending physician or, with regard to a body subject to inquiry under Title 45, Chapter 16, Article 2, by the county coroner or medical examiner.

Authority: O.C.G.A. §§ 31-2A-6, 31-10-3, 31-10-15.