

SENATE MOTION

MADAM PRESIDENT:

I move that Engrossed House Bill 1273 be amended to read as follows:

- 1 Page 1, between lines 7 and 8, begin a new paragraph and insert:
- 2 "SECTION 2. IC 16-28-1-11 IS AMENDED TO READ AS
- 3 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 11. (a) Unless an
- 4 individual is certified under this section:
- 5 (1) the individual may not practice as a qualified medication aide
- 6 **or a certified nurse aide;** and
- 7 (2) a facility may not employ the individual as a qualified
- 8 medication aide **or a certified nurse aide.**
- 9 (b) The ~~council~~ **state department** shall do the following:
- 10 (1) Establish a program for the certification of qualified
- 11 medication aides **and certified nurse aides** who work in facilities
- 12 licensed under this article.
- 13 (2) Prescribe education and training programs for qualified
- 14 medication aides **and certified nurse aides**, including course and
- 15 inservice requirements. The training program must include a
- 16 competency test that the individual must pass before being
- 17 granted an initial certification.
- 18 (3) Determine the standards concerning the functions that may be
- 19 performed by a qualified medication aide **and a certified nurse**
- 20 **aide.**
- 21 (4) Establish annual certification fees for qualified medication
- 22 aides.
- 23 (5) Adopt rules under IC 4-22-2 necessary to implement and
- 24 enforce this section.
- 25 (c) The **state** department shall maintain a registry of each individual
- 26 who is:
- 27 (1) certified as a:
- 28 (A) qualified medication aide; **or**
- 29 (B) **certified nurse aide; or**
- 30 (2) **registered as a home health aide under rules adopted**

1 **under IC 16-27-1-7.**

2 (d) The department may conduct hearings for violations of this
3 section under IC 4-21.5.

4 SECTION 3. IC 16-37-1-3.1, AS ADDED BY P.L.61-2009,
5 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
6 DECEMBER 31, 2010 (RETROACTIVE)]: Sec. 3.1. (a) Beginning
7 January 1, 2011, the state department shall establish the Indiana birth
8 registration system (IBRS) for recording in an electronic format live
9 births in Indiana.

10 (b) Beginning January 1, 2011, the state department shall establish
11 the Indiana death registration system (IDRS) for recording in an
12 electronic format deaths in Indiana.

13 (c) Submission of records on births and deaths shall be entered by:

- 14 (1) funeral directors;
15 (2) physicians;
16 (3) coroners;
17 (4) medical examiners;
18 (5) persons in attendance at birth; and
19 (6) local health departments;

20 using the electronic system created by the state department under this
21 section.

22 (d) A person in attendance at a live birth shall report a birth to the
23 local health officer in accordance with IC 16-37-2-2.

24 (e) Death records shall be submitted as follows, using the Indiana
25 death registration system:

26 (1) The:

27 **(A) physician last in attendance upon the deceased; or**

28 **(B) person in charge of interment;**

29 shall initiate the document process. ~~and~~ **If the person in charge**
30 **of interment initiates the process, the person in charge of**
31 **interment shall** electronically submit the certificate required
32 under IC 16-37-3-5 to the physician last in attendance upon the
33 deceased not later than five (5) days after the death.

34 (2) The physician last in attendance upon the deceased shall
35 electronically certify to the local health department the cause of
36 death on the certificate of death not later than five (5) days after:

37 **(A) initiating the document process; or**

38 **(B) receiving under IC 16-37-3-5 the electronic notification**
39 from the person in charge of interment.

40 (3) The local health officer shall submit the reports required under
41 IC 16-37-1-5 to the state department not later than five (5) days
42 after electronically receiving under IC 16-37-3-5 the completed
43 certificate of death from the physician last in attendance."

44 Page 2, between lines 6 and 7, begin a new paragraph and insert:

45 "SECTION 5. IC 16-37-3-3, AS AMENDED BY P.L.61-2009,
46 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

1 JULY 1, 2011]: Sec. 3. (a) The **physician last in attendance upon the**
 2 **deceased or the** person in charge of interment shall file a certificate of
 3 death or of stillbirth with the local health officer of the jurisdiction in
 4 which the death or stillbirth occurred.

5 (b) Notwithstanding subsection (a), beginning January 1, 2011, **the**
 6 **physician last in attendance upon the deceased or** the person in
 7 charge of interment shall use the Indiana death registration system
 8 established under IC 16-37-1-3.1 to file a certificate of death with the
 9 local health officer of the jurisdiction in which the death occurred. The
 10 local health officer shall retain a copy of the certificate of death.

11 SECTION 6. IC 16-37-3-4 IS AMENDED TO READ AS
 12 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 4. The **physician last**
 13 **in attendance upon the deceased or the** person in charge of interment
 14 shall secure the personal data required by the state department by rules
 15 adopted under IC 4-22-2 for preparation of the certificate of death or
 16 of stillbirth from the persons best qualified to give the information.

17 SECTION 7. IC 16-37-3-5, AS AMENDED BY P.L.61-2009,
 18 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 JULY 1, 2011]: Sec. 5. (a) **If** the person in charge of interment **initiates**
 20 **the process, the person in charge of interment** shall present a
 21 certificate of death to the physician last in attendance upon the
 22 deceased, who shall certify the cause of death upon the certificate of
 23 death or of stillbirth.

24 (b) Notwithstanding subsection (a), beginning January 1, 2011,
 25 using the Indiana death registration system established under
 26 IC 16-37-1-3.1, **if** the person in charge of interment **initiates the**
 27 **process, the person in charge of interment** shall electronically
 28 provide a certificate of death to the physician last in attendance upon
 29 the deceased. The physician last in attendance upon the deceased shall
 30 electronically certify to the local health department the cause of death
 31 on the certificate of death, using the Indiana death registration system.".

32 Renumber all SECTIONS consecutively.

(Reference is to EHB 1273 as printed April 1, 2011.)

Senator MILLER