

Pronouncement of Death in New Hampshire: Hospice House and Home Hospice Settings

This document outlines the current legal authority and procedural framework in New Hampshire governing pronouncement of death by healthcare professionals—specifically focused on hospice houses and home hospice care. It reflects relevant statutes, administrative provisions, and procedural expectations.

New Hampshire Law

Under New Hampshire Revised Statutes, RSA 290:1-b, Registered Nurses (RNs) may pronounce death in a hospital, nursing home, private home served by a licensed home health care provider, assisted living residence, or hospice. An RN may pronounce death, certify the fact of death, and release the body to a funeral director, next-of-kin, or agent using either a paper or approved electronic death record. If the deceased had a known contagious disease, the death record must reflect this.

Who May Pronounce Death in Hospice and Home Hospice Settings

1. **Registered Nurses (RNs):** Explicitly authorized under RSA 290:1-b to pronounce death in hospice houses and home hospice settings.
2. **Nurse Practitioners (APRNs/NPs):** Not explicitly included in RSA 290:1-b for pronouncement authority. However, they may be involved in medical certification of cause of death under RSA 5-C:64. (All NPs are RNs first, and in both MA and NH maintain both licensures)
3. **Physicians:** Retain full authority to pronounce death and certify the medical cause of death.
4. **Physician Assistants (PAs):** Authorized to complete medical certification of cause of death, but pronouncement authority is not explicitly granted under RSA 290:1-b.
5. **Licensed Practical Nurses (LPNs):** *Not authorized to pronounce death in New Hampshire.*

Death Certification and Cause-of-Death Authority

While RNs may pronounce death and release the body, they may not complete the medical certification of cause of death. This responsibility lies with physicians, APRNs, or PAs as outlined in RSA 5-C:64. Medical certification must be completed electronically within statutory timeframes, usually 36 hours.

Application in Hospice House and Home Hospice

- In both inpatient hospice facilities (e.g., High Pointe-like hospice houses in NH) and home hospice care, the process of pronouncement by RNs must follow statutory requirements and agency policy. The pronouncing RN should:
- Verify cessation of circulatory and respiratory functions.
- Document the time of death and complete the death record (paper or electronic).
- Note any contagious disease on the death record.
- Notify the attending physician or hospice medical director.
- Release the body to the funeral home as appropriate.
- Notify the Office of the Chief Medical Examiner in cases of unexpected, suspicious, or pediatric deaths.

Summary Table

Role	Authorized to Pronounce?	Comments
Registered Nurse (RN)	Yes	May pronounce death and release the body; must document in approved death record.
Nurse Practitioner (APRN/NP)	No (not under RSA 290:1-b)	Can certify cause of death but not legally pronounce under statute.
Physician	Yes	Can pronounce and certify death.
Physician Assistant (PA)	No	Can certify cause of death but pronouncement not explicitly granted.
Licensed Practical Nurse (LPN)	No	Not authorized to pronounce death.

References

New Hampshire Revised Statutes § 290:1-b (2023). Pronouncement of death by registered nurses. Retrieved from <https://law.justia.com/codes/new-hampshire/2023/title-xxvi/chapter-290/section-290-1-b/>

New Hampshire Revised Statutes § 5-C:64 (2015). Medical certification of cause of death. Retrieved from https://legiscan.com/NH/text/HB422/id/1256573/New_Hampshire-2015-HB422-Chaptered.html

New Hampshire Department of Justice, Office of the Chief Medical Examiner. (n.d.). Reporting a death. Retrieved from <https://www.doj.nh.gov/bureaus/chief-medical-examiner/reporting-death>