

LAWS OF DELAWARE  
VOLUME 85  
CHAPTER 248  
153rd GENERAL ASSEMBLY  
FORMERLY  
HOUSE BILL NO. 224

AN ACT TO AMEND TITLE 16 AND TITLE 24 OF THE DELAWARE CODE RELATING TO REGISTRATION OF DEATH.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend § 3123, Title 16 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 3123. Registration of death.

(c) (1) When no official death investigation is required, the medical certification shall be completed, ~~signed~~ signed, and returned to the funeral director within 48 hours after death, or as soon as possible after a death under subsections (e) and (f) of this section, by any of the following:

a. ~~the attending physician; or a registered nurse or an~~ The attending physician.

b. An advanced practice registered nurse (APRN) acting in accordance with § 1902(s) of Title 24.

c. A physician assistant (PA) acting in accordance with § 1773 of Title 24.

(2) In the absence of the attending physician, the certificate may be completed and signed by the attending physician's designated physician or the chief medical officer of the institution in which death occurred if such individual has knowledge about the medical history of the case.

(g) One of the following individuals shall pronounce a death:

(1) The attending physician.

(2) The medical examiner.

(3) A registered nurse or an advanced practice registered nurse (APRN) acting in accordance with § 1902(s) of Title 24.

(4) The medical control physician under § 1760(b) of Title 24.

(5) A physician assistant (PA) acting in accordance with § 1773 of Title 24.

(h) All medical certifications of ~~death, death~~ required pursuant to ~~under~~ subsections ~~(e)-(e)~~ (c) through (e) of this section ~~shall~~ must be electronically prepared, ~~certified~~ certified, and signed by 1 of the individuals designated in subsection ~~(g)-(c)~~ (d) of this section.

Section 2. Amend § 1773, Title 24 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 1773. Regulation of physician assistants.

(a) The Council shall adopt rules and regulations which address the following:

(2) Medical acts provided by physician assistants to ~~include:~~ include all of the following:

a. The performance of complete patient histories and physical ~~examinations;~~ examinations.

b. The recording of patient progress notes in an in-patient or out-patient ~~setting;~~ setting.

c. The ordering, relaying, transcribing, or executing of specific diagnostic or therapeutic orders or ~~procedures;~~ procedures.

d. Medical acts of diagnosis and prescription of therapeutic drugs and treatments; and referral of patients to specialists as ~~needed;~~ needed.

e. Prescriptive authority for therapeutic drugs and treatments within the scope of physician assistant practice. The physician assistant's prescriptive authority and authority to practice as a physician assistant are subject to biennial renewal upon application to the Physician Assistant Regulatory ~~Council;~~ and Council.

f. The use of telemedicine as defined in this chapter and, as further described in regulation, the use of and participation in telehealth.

g. Pronouncing death and completing and signing a medical certification of death.

Approved April 23, 2026