



South Carolina
Department of Labor, Licensing and Regulation



110 Centerview Drive
Post Office Box 12367
Columbia, SC 29211-2367
Phone: (803) 896-4550
FAX: (803) 896-4515

Board of Nursing

Henry D. McMaster
Governor

Emily H. Farr
Director

ADVISORY OPINION # 3

FORMULATED: July 31, 1997

REVISED: January 2019, October 2018, November 1991, November 2000, March 2003, September 2006

REVIEWED: July 2022, March 1993, January 1997, July 1998, July 2005, July 2007

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 State Board of Nursing for South Carolina acknowledges that it is **NOT** within the role and scope of responsibilities of the RN or LPN to make pronouncements of death under state law.

The State Board of Nursing 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.

However, it is within the role and scope of the RN to make an assessment of death utilizing guidelines established by a healthcare institution, home or hospice agency. The RN may assess that a person has died and notify the appropriate persons, including the physician, supervisory personnel, family, and funeral home staff. The State Board of Nursing recommends that institutions/agencies have guidelines in place that address the assessment of death by the RN.

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