


Pronouncement of Death

The statutes of the State of Nebraska are silent upon the specific issue of pronouncement of death. There is no Nebraska statute that states that only a physician may pronounce a person dead.

 [Nebr. Rev. Stat. 71-605](#) requires that the physician shall have the responsibility and duty to complete and sign in his or her own handwriting, within twenty-four hours, the death certificate. The law also requires that if a physician was not in attendance, the funeral director shall refer the case to the county attorney for a death certificate.

Because the statutes are silent on the issue of "pronouncement of death", there is no specific state requirement for such a specific declaration and it is unclear as to the exact meaning of pronouncement of death. It is acceptable for a nurse, including the LPN, to recognize and record that vital signs are absent, respirations ceased etc. An Attorney General opinion dated May 25, 1984 identifies that the certification of the cause of death on a death certificate of a person dying in a nursing home, who has been under the care or charge of a particular physician, may be signed by that physician even though that physician was not physically present at the time the person died. Notification of the physician that life has ceased could appropriately be done by a RN or LPN.