

**REPEAL OF MEDICAL EXAMINER
COMMITTEE**

2002 GENERAL SESSION
STATE OF UTAH

Sponsor: Neil A. Hansen

This act modifies the Utah Health Code by repealing the Medical Examiner Committee. This act makes technical corrections.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

26-4-2, as last amended by Chapter 10, Laws of Utah 1991

REPEALS:

26-4-3, as last amended by Chapter 243, Laws of Utah 1996

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **26-4-2** is amended to read:

26-4-2. Definitions.

As used in this chapter:

~~[(1) "Committee" means the Medical Examiner Committee.]~~

~~[(2)] (1) "Death by violence" means death that resulted by the decedent's exposure to physical, mechanical, or chemical forces, and includes death which appears to have been due to homicide, death which occurred during or in an attempt to commit rape, mayhem, kidnapping, robbery, burglary, housebreaking, extortion, or blackmail accompanied by threats of violence, assault with a dangerous weapon, assault with intent to commit any offense punishable by imprisonment for more than one year, arson punishable by imprisonment for more than one year, or any attempt to commit any of the foregoing offenses.~~

~~[(3)] (2) "Medical examiner" means the state medical examiner appointed pursuant to Section 26-4-4 or a deputy appointed by the medical examiner.~~

~~[(4)] (3) "Regional pathologist" means a trained pathologist licensed to practice medicine~~



28 and surgery in the state, appointed by the medical examiner pursuant to Subsection 26-4-4(2).

29 ~~[(5)]~~ (4) "Sudden death while in apparent good health" means apparently instantaneous
30 death without obvious natural cause, death during or following an unexplained syncope or coma,
31 or death during an acute or unexplained rapidly fatal illness.

32 ~~[(6)]~~ (5) "Sudden infant death syndrome" means the death of a child who was thought to
33 be in good health or whose terminal illness appeared to be so mild that the possibility of a fatal
34 outcome was not anticipated.

35 ~~[(7)]~~ (6) "Suicide" means death caused by an intentional and voluntary act of a person who
36 understands the physical nature of the act and intends by such act to accomplish self-destruction.

37 ~~[(8)]~~ (7) "Unattended death" means the death of a person who has not been seen by a
38 physician within the scope of the physician's professional capacity within 30 days immediately
39 prior to the date of death. This definition shall not require an investigation, autopsy, or inquest in
40 any case where death occurred without medical attendance solely because the deceased was under
41 treatment by prayer or spiritual means alone in accordance with the tenets and practices of a
42 well-recognized church or religious denomination.

43 ~~[(9)]~~ (8) "Within the scope of the decedent's employment" means all acts reasonably
44 necessary or incident to the performance of work, including matters of personal convenience and
45 comfort not in conflict with specific instructions.

46 Section 2. **Repealer.**

47 This act repeals:

48 Section 26-4-3, **Medical examiner committee -- Membership -- Vacancy -- Expenses.**

Legislative Review Note
as of 10-24-01 12:09 PM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel

Committee Note

The Government Operations Interim Committee recommended this bill.