

26-4-24 Autopsies -- Persons eligible to authorize.

(1) Autopsies may be authorized:

- (a) by the commissioner of the Labor Commission or the commissioner's designee as provided in Section 34A-2-603;
- (b) by individuals by will or other written document;
- (c) upon a decedent by the next of kin in the following order and as known: surviving spouse, child, if 18 years or older, otherwise the legal guardian of the child, parent, sibling, uncle or aunt, nephew or niece, cousin, others charged by law with the duty of burial, or friend assuming the obligation of burial;
- (d) by the county attorney, district attorney, or the district attorney's deputy, or a district judge; and
- (e) by the medical examiner as provided in this chapter.

(2) Autopsies authorized under Subsections (1)(a) and (1)(d) shall be performed by a certified pathologist.

(3) No criminal or civil action arises against a pathologist or a physician who proceeds in good faith and performs an autopsy authorized by this section.

Amended by Chapter 375, 1997 General Session