

MEDICAL EXAMINER AMENDMENTS

2012 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Allen M. Christensen

House Sponsor: Paul Ray

LONG TITLE

General Description:

This bill amends provisions in the Health Code related to the duties of the state medical examiner's office when the death appears to be the result of a highway accident.

Highlighted Provisions:

This bill:

- ▶ requires the state medical examiner to assume custody of a body when it appears that the death is the result of a highway accident.

Money Appropriated in this Bill:

This bill appropriates:

- ▶ \$350,000 from the General Fund, Ongoing, for fiscal year 2012-13, to the Department of Health - Medical Examiner's Office.

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

26-4-7, as last amended by Laws of Utah 2011, Chapter 366

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

Section 1. Section **26-4-7** is amended to read:

26-4-7. Custody by medical examiner.

Upon notification under Section 26-4-8 or investigation by the medical examiner's office, the medical examiner shall assume custody of a deceased body if it appears that death

30 was:

31 (1) by violence, gunshot, suicide, or accident [~~unless the accident is a highway~~
32 ~~accident. If the death was from a highway accident, custody shall only be assumed if an~~
33 ~~autopsy is required or permitted under the provisions of Section 26-4-13 or if requested by the~~
34 ~~law enforcement agency with jurisdiction over the highway accident];~~

35 (2) sudden death while in apparent good health;

36 (3) unattended deaths, except that an autopsy may only be performed in accordance
37 with the provisions of Subsection 26-4-9(3);

38 (4) under suspicious or unusual circumstances;

39 (5) resulting from poisoning or overdose of drugs;

40 (6) resulting from diseases that may constitute a threat to the public health;

41 (7) resulting from disease, injury, toxic effect, or unusual exertion incurred within the
42 scope of the decedent's employment;

43 (8) due to sudden infant death syndrome;

44 (9) resulting while the decedent was in prison, jail, police custody, the state hospital, or
45 in a detention or medical facility operated for the treatment of persons with a mental illness,
46 persons who are emotionally disturbed, or delinquent persons;

47 (10) associated with diagnostic or therapeutic procedures; or

48 (11) described in this section when request is made to assume custody by a county or
49 district attorney or law enforcement agency in connection with a potential homicide
50 investigation or prosecution.

51 Section 2. **Appropriation.**

52 Under the terms and conditions of Utah Code Title 63J, Chapter 1, Budgetary
53 Procedures Act, the following sums of money are appropriated from the funds or fund accounts
54 indicated for the use and support of the government of the State of Utah for the fiscal year
55 beginning July 1, 2012 and ending June 30, 2013.

56 To Department of Health, Disease Control and Prevention

57 From the General Fund

\$350,000

58	<u>Schedule of Programs:</u>	
59	<u>Medical Examiner's Office</u>	<u>\$268,900</u>
60	<u>Forensic Toxicology</u>	<u>\$81,100</u>