

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

**MEDICAL EXAMINER AMENDMENTS**

2012 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Allen M. Christensen**

House Sponsor: Paul Ray

---

---

**LONG TITLE**

**Committee Note:**

The Health and Human Services Interim Committee recommended this bill.

**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:

- ▶ \$368,700 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:*



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

29 **26-4-7. Custody by medical examiner.**

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

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

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

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

40 (4) under suspicious or unusual circumstances;

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

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

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

45 (8) due to sudden infant death syndrome;

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

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

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

53 **Section 2. Appropriation.**

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

58 To Department of Health, Disease Control and Prevention

59	<u>From the General Fund</u>		<u>\$368,700</u>
60	<u>Schedule of Programs:</u>		
61	<u>Medical Examiner's Office</u>	<u>\$283,300</u>	
62	<u>Forensic Toxicology</u>	<u>\$85,400</u>	

---

---

**Legislative Review Note**  
**as of 10-26-11 10:04 AM**

**Office of Legislative Research and General Counsel**