

HOUSE BILL REPORT

ESHB 2168

As Passed House
February 12, 1994

Title: An act relating to the election of county coroners.

Brief Description: Authorizing certain counties to appoint a medical examiner to perform the duties of coroner.

Sponsors: By House Committee on Local Government (originally sponsored by Representatives Ogden, Carlson, Springer, H. Myers, Morris and L. Johnson).

Brief History:

Reported by House Committee on:
Local Government, February 1, 1994, DPS;
Passed House, February 12, 1994, 51-41.

HOUSE COMMITTEE ON LOCAL GOVERNMENT

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 7 members: Representatives H. Myers, Chair; Springer, Vice Chair; Reams, Assistant Ranking Minority Member; Dunshee; R. Fisher; Horn and Van Luven.

Minority Report: Do not pass. Signed by 4 members: Representatives Edmondson, Ranking Minority Member; Moak; Rayburn and Zellinsky.

Staff: Bill Lynch (786-7092).

Background: In general, the county coroner has jurisdiction over the remains of all deceased people who die suddenly when in apparent good health. The coroner has jurisdiction over any autopsies that are conducted. In most instances, the cost of an autopsy is paid by the county in which the autopsy is performed.

There is no requirement for a coroner to be certified as a forensic pathologist. When a coroner is not certified as a forensic pathologist, autopsies are frequently contracted out to people with more expertise to perform the autopsy. It has been asserted that it is cheaper for a county to have a trained medical examiner conduct autopsies in-house rather than contract with others to perform the autopsies. If larger counties are given the option to appoint medical

examiners rather than elect coroners, then more autopsies could be conducted in-house.

Summary of Bill: If a noncharter county's population increases to 225,000 or more, the county legislative authority may adopt an ordinance or resolution providing for the consolidation of the office of coroner with the office of county commissioner. The ordinance or resolution must be adopted at least 30 days prior to the first day of filing for the primary election for county offices.

When the county legislative authority adopts such an ordinance or resolution, then no election is held for the office of coroner. The coroner's position is abolished following the expiration of the coroner's term of office. The county legislative authority must appoint a medical examiner before the expiration of the county coroner's term of office.

In order to be appointed as a medical examiner by the county legislative authority, a person must be either certified as a forensic pathologist by the American Board of Pathology or be a qualified physician eligible to take the American Board of Pathology exam in forensic pathology within one year of being appointed. A physician who is appointed as a medical examiner but who is not certified as a forensic pathologist must pass the pathology exam within three years of being appointed.

Fiscal Note: Not requested.

Effective Date: The bill contains an emergency clause and takes effect immediately.

Testimony For: This will provide an efficient and effective cost savings, not to mention the ability to provide regional service. It is important for effective law enforcement to have people with expertise performing autopsies.

Testimony Against: Coroners are more than a deliverer of autopsies; they are an advocate for the deceased. Not only do they investigate the scene, they brief the families. If people want to change their county officers, they should adopt a home rule charter with a vote of the people.

Witnesses: Representative Val Ogden, prime sponsor; Representative Don Carlson, secondary sponsor; Doug Maas, Clark County (pro); Randy Scott, Spokane County (pro); Judy Arnold, Thurston County Coroner (con); and Dr. Barbara Andersen, Island County (con).