

HOUSE BILL ANALYSIS

HB 2476

Title: An act relating to investigating sudden unexplained deaths of children.

Brief Description: Investigating deaths of children.

Sponsors: Representatives Lambert, Kagi, Dickerson, Hurst, Cox, Carrell, Boldt, D. Sommers, Mulliken, Esser, Stensen, McDonald, Ruderman, Edwards, Keiser and Rockefeller.

Brief Summary of Bill

- Requires death investigators and law enforcement officers to receive training for conducting investigations of the sudden and unexplained deaths of children under three.
- Prohibits reimbursements for autopsies to counties that do not use an approved death scene investigation protocol, autopsy protocol in certain circumstances, and appropriate autopsy facilities.

HOUSE COMMITTEE ON JUDICIARY

Staff: Trudes Hutcheson (786-7384).

Background:

The county coroner or medical examiner has exclusive jurisdiction over the bodies of those who have died under suspicious or unnatural circumstances or under other specified conditions. The coroner or medical examiner is responsible for determining the cause and manner of death.

Each county has either: (a) an elected county coroner; (b) a prosecutor who acts as a coroner in counties with a population of 40,000 or less; or (c) an appointed medical examiner who is a certified pathologist.

Autopsies, which are performed by pathologists, help determine the cause of death. Counties are reimbursed for autopsies as follows:

- up to 40 percent of the cost of contracting for the services of a pathologist to perform an autopsy; and

- up to 25 percent of the salaries of pathologists who are primarily engaged in performing autopsies and are either county coroners or medical examiners, or who are employees of a county coroner or county medical examiner.

When the autopsy of a child under the age of three is performed by the University of Washington Medical School, the medical school bears the costs of the autopsy.

The state Forensic Investigations Council was created to, among other things, improve the performance of death investigations through the formal training of county coroners and county medical examiners.

In 1991, the council was directed to develop a training component on investigating the sudden, unexplained deaths of children and sudden infant death syndrome. The training is offered to first responders, coroners, medical examiners, prosecuting attorneys serving as coroners, and investigators, voluntarily through their various associations and as a course offering at the Criminal Justice Training Center.

Summary of Bill:

Training for death investigators must specifically include a death scene investigation protocol for the sudden, unexplained deaths of children under the age of three. The protocol must be endorsed or developed by the Forensic Investigations Council. City and county law enforcement officers and emergency medical personnel are also required to receive training for investigating these specific types of deaths as part of their basic training through the Criminal Justice Training Commission or the Department of Health emergency medical training certification program.

Each county must use a death scene investigations protocol that has either been endorsed or developed by the council for investigating any sudden and unexplained death of a child under the age of three.

The council must develop a protocol for autopsies on bodies of children under the age of three whose deaths were sudden and unexplained. Pathologists who are not certified in forensic pathology must use the protocol.

A county shall not be reimbursed for an autopsy of a child under three whose death was sudden and unexplained unless: (a) investigators used a death scene investigation protocol endorsed or developed by the council; (b) the autopsy protocol was used if the pathologist performing the autopsy is not a forensic pathologist; and (c) the autopsy was performed at a facility designed for autopsies.

Fiscal Note: Requested January 19, 2000.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Office of Program Research