
HOUSE BILL 2476

State of Washington

56th Legislature

2000 Regular Session

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

Read first time 01/13/2000. Referred to Committee on Judiciary.

1 AN ACT Relating to investigating sudden unexplained deaths of
2 children; and amending RCW 43.103.100 and 68.50.104.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 43.103.100 and 1991 c 176 s 6 are each amended to read
5 as follows:

6 (1) The council shall research and develop an appropriate training
7 component on the subject of sudden, unexplained child death, including
8 but not limited to sudden infant death syndrome. The training
9 component shall include, at a minimum:

10 ~~((1))~~ (a) Medical information on sudden, unexplained child death
11 for first responders, including awareness and sensitivity in dealing
12 with families and child care providers, and the importance of
13 forensically competent death scene investigation;

14 ~~((2))~~ (b) Information on community resources and support groups
15 available to assist families who have lost a child to sudden,
16 unexplained death, including sudden infant death syndrome; and

17 ~~((3) Development and adoption of an up-to-date protocol of~~
18 ~~investigation in cases of sudden, unexplained child death, including~~

1 ~~the importance of a consistent policy of thorough death scene~~
2 ~~investigation, and an autopsy in unresolved cases as appropriate;~~

3 (4)) (c) The value of timely communication between the county
4 coroner or medical examiner and the public health department, when a
5 sudden, unexplained child death occurs, in order to achieve a better
6 understanding of such deaths, and connecting families to various
7 community and public health support systems to enhance recovery from
8 grief.

9 (2) The council shall work with volunteer groups with expertise in
10 the area of sudden, unexplained child death, including but not limited
11 to the SIDS ((Northwest Regional Center at Children's Hospital, the
12 Washington chapter of the national SIDS)) foundation((7)) of Washington
13 and the Washington association of county officials.

14 ((Upon development of an appropriate curriculum, agreed upon by the
15 council, the training module shall be offered to first responders,
16 coroners, medical examiners, prosecuting attorneys serving as coroners,
17 and investigators, both voluntarily through their various associations
18 and as a course offering at the criminal justice training center.))

19 (3) Basic training for death investigators offered by the
20 Washington association of coroners and medical examiners and the
21 criminal justice training commission shall include a module which
22 specifically addresses the investigations of the sudden unexplained
23 deaths of children under the age of three. The training module shall
24 include a scene investigation protocol endorsed or developed by the
25 council. A similar training curriculum shall be required for city and
26 county law enforcement officers and emergency medical personnel
27 certified by the department of health as part of their basic training
28 through the criminal justice training commission or the department of
29 health emergency medical training certification program.

30 (4) Each county shall use a protocol that has been endorsed or
31 developed by the council for scene investigations of the sudden
32 unexplained deaths of children under the age of three. The council may
33 utilize guidelines from the center for disease control and other
34 appropriate resources.

35 (5) The council shall develop a protocol for autopsies of children
36 under the age of three whose deaths are sudden and unexplained. This
37 protocol shall be used by pathologists who are not certified by the
38 American board of pathology in forensic pathology, and who are
39 providing autopsy services to coroners and medical examiners.

1 **Sec. 2.** RCW 68.50.104 and 1983 1st ex.s. c 16 s 14 are each
2 amended to read as follows:

3 (1) The cost of autopsy shall be borne by the county in which the
4 autopsy is performed, except when requested by the department of labor
5 and industries, in which case, the department shall bear the cost of
6 such autopsy(~~(; and except when performed on a body of an infant under~~
7 ~~the age of three years by the University of Washington medical school,~~
8 ~~in which case the medical school shall bear the cost of such autopsy)).~~

9 (2) Except as provided in subsection (3) of this section, when the
10 county bears the cost of an autopsy, it shall be reimbursed from the
11 death investigations(~~(^L)~~) account, established by RCW 43.79.445, as
12 follows:

13 (~~(1)~~) (a) Up to forty percent of the cost of contracting for the
14 services of a pathologist to perform an autopsy; and

15 (~~(2)~~) (b) Up to twenty-five percent of the salary of pathologists
16 who are primarily engaged in performing autopsies and are (~~(a)~~) (i)
17 county coroners or county medical examiners, or (~~(b)~~) (ii) employees
18 of a county coroner or county medical examiner.

19 Payments from the account shall be made pursuant to biennial
20 appropriation: PROVIDED, That no county may reduce funds appropriated
21 for this purpose below 1983 budgeted levels.

22 (3) When the county bears the cost of an autopsy of a child under
23 the age of three whose death was sudden and unexplained, the county
24 shall not be reimbursed pursuant to this section unless the death scene
25 investigation and the autopsy have been conducted pursuant to section
26 1 (4) and (5) of this act, and the autopsy has been done at a facility
27 designed for the performance of autopsies.

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