

FINAL BILL REPORT

HB 1216

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Synopsis as Enacted

Brief Description: Investigating sudden unexplained deaths of children.

Sponsors: Representatives Lambert, O'Brien, Carrell and Delvin.

House Committee on Judiciary

Senate Committee on Judiciary

Background:

The Washington State Forensic Investigations Council (FIC) was created to, among other things, manage the Death Investigations Account and provide training to county coroners and medical examiners for performing death investigations.

The FIC developed training on the subject of sudden unexplained child deaths. The training includes: (a) medical information for first responders; (b) information on community resources and support groups for families; and (c) a protocol for investigating cases of sudden, unexplained child death.

The training is offered on a voluntary basis to first responders, coroners, medical examiners, prosecuting attorneys serving as coroners, and investigators, through their various associations and as a course offering at the Criminal Justice Training Center.

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.

Pathologists perform autopsies to determine the cause of death. Counties without a medical examiner contract with other county medical examiners for autopsies. Generally, the county in which the autopsy is performed bears the cost of the autopsy. The county is reimbursed from the death investigations account 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 salary of pathologists who are primarily engaged in performing autopsies for the county.

Not all pathologists are certified as forensic pathologists.

Summary:

Training for death investigators must include a scene investigation protocol endorsed or developed by the FIC.

Training for investigating the sudden unexplained death of a child under the age of three is required for city and county law enforcement officers and for certified emergency medical personnel as part of their basic training through the Criminal Justice Training Commission or the Department of Health emergency medical training certification program. Counties must use a protocol endorsed or developed by the FIC for scene investigations of these kinds of deaths.

The FIC must develop a protocol for autopsies of children under the age of three whose deaths are sudden and unexplained. Pathologists who are not certified forensic pathologists and who are providing autopsy services to coroners and medical examiners must use the FIC protocol.

A county will be reimbursed for an autopsy of a child under the age of three whose death was sudden and unexplained if the death scene investigation and the autopsy were conducted under the protocols and the autopsy was done at a facility designed for the performance of autopsies.

Votes on Final Passage:

House 93 0

Senate 47 0

Effective: July 22, 2001