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HOUSE BILL 1216

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State of Washington

57th Legislature

2001 Regular Session

By Representatives Lambert, O'Brien, Carrell and Delvin

Read first time 01/19/2001. 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 (c) of this subsection, when the county  
10 bears the cost of an autopsy, it shall be reimbursed from the death  
11 investigations(~~(^)~~) account, established by RCW 43.79.445, as follows:

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

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

18       (c) When the county bears the cost of an autopsy of a child under  
19 the age of three whose death was sudden and unexplained, the county  
20 shall be reimbursed for the expenses of the autopsy when the death  
21 scene investigation and the autopsy have been conducted under RCW  
22 43.103.100 (4) and (5), and the autopsy has been done at a facility  
23 designed for the performance of autopsies.

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

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