

HOUSE BILL REPORT

HB 1981

As Reported by House Committee On:
Children & Family Services

Title: An act relating to establishing the joint task force on child death investigations.

Brief Description: Creating a joint task force on child death investigations.

Sponsors: Representative Dickerson.

Brief History:

Committee Activity:

Children & Family Services: 3/3/03, 3/4/03 [DP].

Brief Summary of Bill

- Establishes a Joint Task Force on Child Death Investigations to examine the statewide county coroner system and the investigations of child deaths.

HOUSE COMMITTEE ON CHILDREN & FAMILY SERVICES

Majority Report: Do pass. Signed by 5 members: Representatives Kagi, Chair; Darneille, Vice Chair; Dickerson, Miloscia and Pettigrew.

Minority Report: Do not pass. Signed by 4 members: Representatives Boldt, Ranking Minority Member; Roach, Assistant Ranking Minority Member; Bailey and Shabro.

Staff: Sonja Hallum (786-7092).

Background:

In Washington the county coroner is an elected official by statute, except that in a county with a population of less than 40,000 the prosecuting attorney acts as the coroner. In a county with a population of 250,000 or more the county legislative authority may replace the office of coroner with a medical examiner system and appoint a medical examiner.

If the county legislative authority adopts a resolution or ordinance to replace the county coroner system with a medical examiner system the decision is referred to the voters. If the resolution or ordinance is approved by a majority vote no coroner will be elected.

Instead, the county legislative authority appoints a medical examiner. To be appointed as a medical examiner a person must either be: (1) Certified as a forensic pathologist by the American Board of Pathology; or (2) a qualified physician eligible to take the American Board of Pathology exam in forensic pathology within one year of being appointed. A physician specializing in pathology who is appointed to the position of medical examiner and who is not certified as a forensic pathologist must pass the pathology exam within three years of the appointment.

In Washington each county is required to develop protocols for investigations and autopsies of unexplained deaths of children under the age of three as required in RCW 43.103.100. If the coroner conducts an autopsy of a child under the age of three whose death was sudden and unexplained, RCW 68.50.104 requires the county to be reimbursed for the expenses of the autopsy when the death scene investigation and autopsy are conducted under the protocols which have been adopted by the county.

Summary of Bill:

A Joint Task Force on Child Death Investigations (Task Force) is established.

The membership of the Task Force shall consist of eight members from both the Senate and the House of Representative as follows:

HOUSE:

1. Two members of the Children & Family Services Committee
2. Two members of the Health Care Committee
3. Each of the two largest caucuses shall be represented

SENATE:

1. Two members of the Children & Family Services and Corrections Committee
2. Two members of the Health and Long-Term Care Committee
3. Each of the two largest caucuses shall be represented

The Task Force shall review the following issues:

1. Whether Washington should replace the current county coroner system with a state medical examiner system.
2. Whether there is a need to implement statewide rules to ensure uniformity in child death investigations.
3. Whether the protocols required under RCW 43.103.100 are being followed uniformly in Washington.
4. Whether coroners are being reimbursed for the costs of autopsies of children under

the age of three as provided for in RCW 68.50.104.

5. Any other issues which the joint task force deems relevant to the intent of this act.

The task force shall appoint an advisory committee to provide input on the issues under review and shall report to the Legislature no later than December 1, 2003.

Appropriation: None.

Fiscal Note: Not Requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: (In support) Nothing is more important or serious than doing an accurate child death review. There is a lack of uniformity in the state. There is a lack of uniformity of policies and coroners who are not licensed medical examiners. Coroners don't think this is needed. They will be involved, but this is up to the House and Senate to decide policy for the state.

(Neutral) The Child Death Review is only a few years old. The purpose of the Child Death Review is to review deaths of children under 18 to see what we can learn to prevent future deaths. This is not an investigation. We don't review the cases until the investigations are complete. We use the data from the investigations for the reviews. Some of the information is not included in the death investigation so the data is incomplete. This shows some lack of uniformity in the data collection. We do not know the reason why it is not included.

Testimony Against: This bill is unnecessary. The Washington State Forensic Counsel was created to address and study issues regarding the system. The Forensic Counsel can already provide the information requested in HB 1981. Autopsies are being done by forensic pathologists. Both medical examiners and coroners do death investigations. They are being reimbursed for the autopsies they perform. The quality and education for death investigators in this state is better than most. The Forensic Counsel addressed the option of a state-wide medical examiner and, in lieu of this option, are looking at a state Forensic Pathologist office to assist counties and assist in distributing resources evenly.

Testified: (In support) Representative Dickerson, prime sponsor.

(Neutral) Melissa Allen, Department of Health.

(Against) Judy Arnold, Thurston County Coroner and Forensic Investigation Council; and Debbie Wilke, Washington Association of Coroners and Medical Examiners and Forensic Investigation Council.

