
SECOND SUBSTITUTE HOUSE BILL 1223

State of Washington

58th Legislature

2003 Regular Session

By House Committee on Appropriations (originally sponsored by Representatives Dickerson, Kagi, Chase, Cody and Lovick)

READ FIRST TIME 03/05/03.

1 AN ACT Relating to placing jurisdiction over deceased minors with
2 the county coroner; amending RCW 68.50.010 and 68.50.105; and adding a
3 new section to chapter 68.50 RCW.

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

5 **Sec. 1.** RCW 68.50.010 and 1963 c 178 s 1 are each amended to read
6 as follows:

7 The jurisdiction of bodies of all deceased persons who come to
8 their death suddenly when in apparent good health without medical
9 attendance within the thirty-six hours preceding death; or where the
10 circumstances of death indicate death was caused by unnatural or
11 unlawful means; or where death occurs under suspicious circumstances;
12 or where a coroner's autopsy or post mortem or coroner's inquest is to
13 be held; or where death results from unknown or obscure causes, or
14 where death occurs within one year following an accident; or where the
15 death is caused by any violence whatsoever, or where death results from
16 a known or suspected abortion; whether self-induced or otherwise; where
17 death apparently results from drowning, hanging, burns, electrocution,
18 gunshot wounds, stabs or cuts, lightning, starvation, radiation,
19 exposure, alcoholism, narcotics or other addictions, tetanus,

1 strangulations, suffocation, or smothering; or where death is due to
2 premature birth or still birth; or where death is due to a violent
3 contagious disease or suspected contagious disease which may be a
4 public health hazard; or where death results from alleged rape, carnal
5 knowledge, or sodomy, where death occurs in a jail or prison; where a
6 body is found dead or is not claimed by relatives or friends; or where
7 the deceased is a minor, is hereby vested in the county coroner, which
8 bodies may be removed and placed in the morgue under such rules as are
9 adopted by the coroner with the approval of the county commissioners,
10 having jurisdiction, providing therein how the bodies shall be brought
11 to and cared for at the morgue and held for the proper identification
12 where necessary.

13 NEW SECTION. **Sec. 2.** A new section is added to chapter 68.50 RCW
14 to read as follows:

15 (1) The coroner, medical examiner, or person acting in that
16 capacity shall promptly notify the department of social and health
17 services of any instances in which the coroner, medical examiner, or
18 person acting in that capacity has received notice of a minor's death.

19 (2) Nothing in this section creates a duty on the part of the
20 department to investigate the circumstances of a child's death or
21 otherwise provide child protective services beyond that required by
22 chapter 26.44 RCW.

23 (3) Nothing in this section requires the department to keep a
24 record of all minors on which they have received a notice of death.
25 The department shall keep a record only when it is determined that
26 abuse or neglect caused or contributed to the child's death, or when
27 the case involves a minor for whom the department has previously had an
28 open child protection or child welfare case.

29 **Sec. 3.** RCW 68.50.105 and 1987 c 331 s 58 are each amended to read
30 as follows:

31 (1) Reports and records of autopsies or post mortems shall be
32 confidential, except that the following persons may examine and obtain
33 copies of any such report or record: The personal representative of
34 the decedent as defined in RCW 11.02.005, any family member, the
35 attending physician, the prosecuting attorney or law enforcement
36 agencies having jurisdiction, public health officials, the department

1 of social and health services in cases involving the death of any minor
2 where abuse or neglect of the child may have caused or contributed to
3 his or her death or in cases involving any minor for whom the
4 department has an open child protection or child welfare case or has
5 had an open child protection or child welfare case in the year
6 preceding the death of the child, or to the department of labor and
7 industries in cases in which it has an interest under RCW 68.50.103.

8 (2) If an investigation is initiated by the department of social
9 and health services, the department may share coroner's or medical
10 examiner's documents with the investigators as part of the
11 investigation process.

12 (3) The coroner, the medical examiner, or the attending physician
13 shall, upon request, meet with the family of the decedent to discuss
14 the findings of the autopsy or post mortem. For the purposes of this
15 section, the term "family" means the surviving spouse, or any child,
16 parent, grandparent, grandchild, brother, or sister of the decedent, or
17 any person who was guardian of the decedent at the time of death.

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