

HOUSE BILL REPORT

SSB 5035

As Reported by House Committee On:
Criminal Justice & Corrections

Title: An act relating to forensic pathology.

Brief Description: Revising the forensic pathology program.

Sponsors: Senate Committee on Health & Long-Term Care (originally sponsored by Senators Thibaudeau, Brandland and Franklin).

Brief History:

Committee Activity:

Criminal Justice & Corrections: 3/22/05, 3/31/05 [DPA].

**Brief Summary of Substitute Bill
(As Amended by House Committee)**

- Eliminates the University of Washington's Forensic Pathology Fellowship Program.
- Requires the Washington State Forensic Investigations Council to study and make recommendations regarding the need for a state forensic pathologist program.

HOUSE COMMITTEE ON CRIMINAL JUSTICE & CORRECTIONS

Majority Report: Do pass as amended. Signed by 7 members: Representatives O'Brien, Chair; Darneille, Vice Chair; Pearson, Ranking Minority Member; Ahern, Assistant Ranking Minority Member; Kagi, Kirby and Strow.

Staff: Yvonne Walker (786-7841).

Background:

The Washington State Forensic Investigations Council (Council) is a 12 member committee appointed by the Governor to oversee death investigations as part of the state's criminal justice system. The Council authorizes expenditures from the Council's Death Investigations Account for the purpose of assisting local jurisdictions in the investigation of multiple deaths involving unanticipated, extraordinary, and catastrophic events, or involving multiple jurisdictions. The Council also oversees the Washington State Patrol's Bureau of Forensic Laboratory Services (Bureau) and actively prepares and approves the Bureau's budget prior to submission to the Office of Financial Management.

The Council and the University of Washington's School of Medicine jointly oversee the state Forensic Pathology Fellowship Program. The program provides training for one person per year and is funded out of the Death Investigations Account of the State General Fund.

Summary of Amended Bill:

The state's Forensic Pathology Fellowship Program is eliminated. The provisions requiring the State Treasurer to make disbursements to the University of Washington for the pathology program are also eliminated.

The Council must study and make recommendations to the Legislature regarding the need for establishing a state forensic pathologist program. The Council's recommendations must include information regarding the state forensic pathologist's annual salary, budget, and duties. The study and recommendations are due to the Legislature by December 1, 2005.

Amended Bill Compared to Substitute Bill:

Since a state forensic program does not exist at this time, the amendment eliminates the requirement that the State Treasurer make a disbursement to the Council to fund the state forensic program. A provision is added to state that the Council will be responsible for oversight of any state forensic pathology program authorized by the Legislature.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: In 1983, the University of Washington was made the pass-thru for the Forensic Pathology Fellowship Program because it was the only structure that seemed to exist at that point where money could be funneled from the Legislature to the program. The state has been without a forensic pathologist program for the last five years. As a result, the association between the University of Washington and King County has virtually dissolved.

There is no fiscal impact of this bill since the funding will be taken from the University of Washington and given to the Council. This bill is taking the budgetary authority pass-thru money from the University of Washington and leaving it in the Death Investigations Account. The account is under the purview of the Council and it gets its money from funds generated from fees charged for certified copies of birth and death certificates and it is used for providing death investigations and resources across the state.

The Council has been working on criteria required for a statewide pathologist. There is a great need in Eastern Washington for a pathologist because the area is so spread out and their

budgets are so small. Many of the counties located near Spokane contract with the medical examiner in Spokane County for forensic pathology services.

The Council has been investigating the need for a state pathologist as part of their strategic plan for several years. This is the first step to simply removing the current forensic fellowship structure in place and the University of Washington has no objection to that. The Council would like to come back in the future and report to the Legislature on the need for a pathologist. Before any new pathology program is developed it will have to be approved by the Legislature.

Testimony Against: None.

Persons Testifying: Martha Read, Washington Association of Coroner's and Medical Examiners; and Debbie Wilke, Washington Association of County Officials.

Persons Signed In To Testify But Not Testifying: None.