
By: Senator Baker

Introduced and read first time: January 22, 1997

Assigned to: Finance

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 21, 1997

CHAPTER ____

1 AN ACT concerning

2 **Medical Examiner - Autopsy - Notification of Families**

3 FOR the purpose of requiring the medical examiner to ~~notify the family of the deceased~~
4 ~~prior to moving the body for an autopsy from the county where the death occurred;~~
5 ~~providing that, when possible, the medical examiner shall allow the family to view~~
6 ~~the body prior to removal for an autopsy~~ provide certain training to certain deputy
7 medical examiners and forensic investigators regarding the need to notify the family
8 of the deceased, and when possible, provide an opportunity for the family to view
9 the body, prior to removal of the body for an autopsy; and generally relating to
10 notification of families before removal for an autopsy.

11 BY repealing and reenacting, with amendments,

12 Article - Health - General

13 Section 5-310(b)

14 Annotated Code of Maryland

15 (1994 Replacement Volume and 1996 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

17 MARYLAND, That the Laws of Maryland read as follows:

18 **Article - Health - General**

19 5-310.

20 (b) (1) If the medical examiner who investigates a medical examiner's case
21 considers an autopsy necessary, the Chief Medical Examiner, the Deputy Chief Medical
22 Examiner, an assistant medical examiner, or a pathologist authorized by the Chief
23 Medical Examiner shall perform the autopsy.

2

1 (2) If the family of the deceased objects to an autopsy on religious grounds,
2 the autopsy may not be performed unless authorized by the Chief Medical Examiner or by
3 the Chief Medical Examiner's designee.

4 ~~(3) PRIOR TO TRANSPORTING A BODY FROM THE COUNTY WHERE THE~~
5 ~~DEATH OCCURRED FOR PURPOSES OF AN AUTOPSY, THE MEDICAL EXAMINER IN~~
6 ~~CHARGE OF THE BODY SHALL NOTIFY THE FAMILY OF THE DECEASED, AND, WHEN~~
7 ~~POSSIBLE, ALLOW THE FAMILY THE OPPORTUNITY TO VIEW THE BODY PRIOR TO IT~~
8 ~~BEING TRANSPORTED.~~

9 (3) THE CHIEF MEDICAL EXAMINER SHALL PROVIDE ONGOING
10 TRAINING OF EXISTING AND PROSPECTIVE DEPUTY MEDICAL EXAMINERS AND
11 FORENSIC INVESTIGATORS REGARDING THE NEED TO NOTIFY THE FAMILY OF THE
12 DECEASED, AND WHEN POSSIBLE PROVIDE AN OPPORTUNITY FOR THE FAMILY TO
13 VIEW THE BODY, PRIOR TO REMOVAL OF THE BODY FOR AN AUTOPSY.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 1997.