
By: **Senator Dorman**

Introduced and read first time: February 4, 1998

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Developmental Disabilities Administration - Client Fatalities - Reporting**
3 **Requirements**

4 FOR the purpose of requiring the Developmental Disabilities Administration to
5 report client fatalities in Administration services and programs to certain
6 officials within certain time frames; allowing certain types of reporting;
7 requiring certain information to be included in a written report; requiring
8 additional information in a report if the fatality occurred under certain
9 circumstances; requiring the chief law enforcement officer to notify a medical
10 examiner of the fatality; and requiring the medical examiner, if necessary, to
11 investigate the fatality according to normal professional standards.

12 BY adding to
13 Article - Health - General
14 Section 7-207
15 Annotated Code of Maryland
16 (1994 Replacement Volume and 1997 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
18 MARYLAND, That the Laws of Maryland read as follows:

19 **Article - Health - General**

20 7-207.

21 (A) (1) UPON THE DEATH OF AN INDIVIDUAL IN A SERVICE OR PROGRAM
22 FUNDED OR OPERATED BY THE ADMINISTRATION, THE ADMINISTRATIVE HEAD OF
23 THE FACILITY SHALL REPORT THE DEATH:

24 (I) IMMEDIATELY TO THE SHERIFF, POLICE, OR CHIEF LAW
25 ENFORCEMENT OFFICIAL IN THE JURISDICTION IN WHICH THE DEATH OCCURRED;
26 AND

27 (II) BY THE CLOSE OF BUSINESS THE NEXT WORKING DAY TO:

28 1. THE DIRECTOR;

1 2. THE HEALTH OFFICER IN THE JURISDICTION WHERE THE
2 DEATH OCCURRED; AND

3 3. THE DESIGNATED STATE PROTECTION AND ADVOCACY
4 SYSTEM.

5 (2) A REPORT MAY BE:

6 (I) ORAL IF FOLLOWED BY A WRITTEN REPORT WITHIN 5 WORKING
7 DAYS FROM THE DATE OF THE DEATH; OR

8 (II) WRITTEN.

9 (3) A WRITTEN REPORT SHALL CONTAIN:

10 (I) THE NAME, AGE, AND SEX OF THE DECEASED;

11 (II) THE TIME OF DISCOVERY OF THE DEATH;

12 (III) THE DECEASED'S PLACE OF RESIDENCE AT THE TIME OF
13 DEATH;

14 (IV) THE LOCATION WHERE THE BODY WAS DISCOVERED;

15 (V) THE NAME OF THE PERSON WHO TOOK CUSTODY OF THE BODY;

16 (VI) THE NAME OF THE PERSON EVALUATING THE DEATH, IF
17 KNOWN;

18 (VII) WHETHER OR NOT AN AUTOPSY IS BEING PERFORMED, IF
19 KNOWN;

20 (VIII) THE NAME, ADDRESS, AND TELEPHONE NUMBER OF THE NEXT
21 OF KIN OR LEGAL GUARDIAN, IF KNOWN; AND

22 (IX) ANY OTHER INFORMATION THE ADMINISTRATIVE HEAD OF THE
23 FACILITY DETERMINES SHOULD BE PROVIDED TO THE MEDICAL EXAMINER AND THE
24 PERSONS LISTED IN PARAGRAPH (1) OF THIS SUBSECTION ON THE DEATHS
25 OCCURRING:

26 1. BY VIOLENCE;

27 2. BY SUICIDE;

28 3. BY CASUALTY;

29 4. SUDDENLY, IF THE DECEASED WAS IN APPARENT GOOD
30 HEALTH; OR

31 5. IN ANY SUSPICIOUS OR UNUSUAL MANNER.

1 (B) THE SHERIFF, POLICE, OR CHIEF LAW ENFORCEMENT OFFICER SHALL
2 INFORM A MEDICAL EXAMINER IN ACCORDANCE WITH § 5-309(B) OF THIS ARTICLE,
3 AND THE MEDICAL EXAMINER, IF NECESSARY, SHALL CONDUCT AN INVESTIGATION
4 IN ACCORDANCE WITH THE PROVISIONS OF THAT SECTION.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 October 1, 1998.