
By: **Senator Dorman**
Introduced and read first time: February 4, 1998
Assigned to: Finance

Committee Report: Favorable with amendments
Senate action: Adopted
Read second time: March 18, 1998

CHAPTER _____

1 AN ACT concerning

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

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

13 BY adding to
14 Article - Health - General
15 Section 7-207
16 Annotated Code of Maryland
17 (1994 Replacement Volume and 1997 Supplement)

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

1 **Article - Health - General**

2 7-207.

3 (A) (1) UPON THE DEATH OF AN INDIVIDUAL IN A SERVICE OR PROGRAM
4 FUNDED OR OPERATED BY THE ADMINISTRATION, THE ADMINISTRATIVE HEAD OF
5 THE ~~FACILITY~~ SERVICE OR PROGRAM SHALL REPORT THE DEATH:

6 (I) IMMEDIATELY TO THE SHERIFF, POLICE, OR CHIEF LAW
7 ENFORCEMENT OFFICIAL IN THE JURISDICTION IN WHICH THE DEATH OCCURRED;
8 AND

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

10 1. THE DIRECTOR;

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

13 3. THE DESIGNATED STATE PROTECTION AND ADVOCACY
14 SYSTEM.

15 (2) A REPORT MAY BE:

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

18 (II) WRITTEN.

19 (3) A WRITTEN REPORT SHALL CONTAIN:

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

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

22 (III) THE DECEASED'S PLACE OF RESIDENCE AT THE TIME OF
23 DEATH;

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

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

26 (VI) THE NAME OF THE PERSON EVALUATING THE DEATH, IF
27 KNOWN;

28 (VII) WHETHER OR NOT AN AUTOPSY IS BEING PERFORMED, IF
29 KNOWN;

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

1 (IX) ANY OTHER INFORMATION THE ADMINISTRATIVE HEAD OF THE
2 ~~FACILITY SERVICE OR PROGRAM~~ DETERMINES SHOULD BE PROVIDED TO THE
3 MEDICAL EXAMINER AND THE PERSONS LISTED IN PARAGRAPH (1) OF THIS
4 SUBSECTION ON THE DEATHS OCCURRING:

- 5 1. BY VIOLENCE;
- 6 2. BY SUICIDE;
- 7 3. BY CASUALTY;
- 8 4. SUDDENLY, IF THE DECEASED WAS IN APPARENT GOOD
9 HEALTH; OR
- 10 5. IN ANY SUSPICIOUS OR UNUSUAL MANNER.

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

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