

**J. SANDY BARTLETT**  
*Legislative District 32*  
Anne Arundel County

DEPUTY MAJORITY WHIP

Judiciary Committee

*Subcommittees*

Civil Law and Procedure

Criminal Law and Procedure

*Chair*

Anne Arundel County  
House Delegation



The Maryland House of Delegates  
6 Bladen Street, Room 163  
Annapolis, Maryland 21401  
410-841-3370 · 301-858-3370  
800-492-7122 Ext. 3370  
Sandy.Bartlett@house.state.md.us

THE MARYLAND HOUSE OF DELEGATES  
ANNAPOLIS, MARYLAND 21401

**FAVORABLE – HB934 – PUBLIC HEALTH – CHIEF MEDICAL EXAMINER –  
AUTOPSY FINDINGS AND CONCLUSIONS**

February 19, 2021

TO: Chair Pendergrass, Vice Chair Peña-Melnyk and members of the Health and Government Operations Committee

HB934 is intended to fix an inconsistency in a section of the Health Article. Under the General Provisions of the Article a person of interest, such as a family member, can request a correction as to the Chief Medical Examiner’s autopsy findings and conclusions. This includes the “cause and manner” of death in one section and excludes “manner” in another section. *See §2(i)* versus *§2(ii)*. The Chief Medical Examiner has the authority to deny the request and the person of interest may appeal the denial to the Secretary and be heard in an administrative hearing. However, as the law stands now, the law does not give the person of interest, the right to appeal the “manner” of death.

Included with my testimony, is a recent court opinion in which the Judge mentions the inconsistency and discusses the testimony that was presented at the time of the bill hearing for the 1992 bill to allow persons of interest the right to challenge the cause of death. A vast amount of the testifiers were family members. The goal of the 1992 bill was to give the persons of interest answers. Yet, I recently learned that the inconsistent wording precludes family members from learning on appeal the MANNER of death, this appears to be an unintended consequence based on the legislative history.

With that said, HB934 is intended to fix the inconsistency. I would appreciate a favorable vote.

