

Senate Bill 131

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SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Adds supervisors of youth correction facilities and juvenile community supervision officers to list of professionals required to make notification of death and cooperate in investigation of death by providing records and other materials. Requires cooperation with both medical examiner and medical-legal death investigator.

A BILL FOR AN ACT

1
2 Relating to investigations of deaths; amending ORS 146.100.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 146.100 is amended to read:

5 146.100. (1) Death investigations shall be under the direction of the district medical examiner
6 and the district attorney for the county where the death occurs.

7 (2) For purposes of ORS 146.003 to 146.189, if the county where death occurs is unknown, the
8 death shall be deemed to have occurred in the county where the body is found, except that if in an
9 emergency the body is moved by conveyance to another county and is dead on arrival, the death
10 shall be deemed to have occurred in the county from which the body was originally removed.

11 (3) The district medical examiner or an assistant district medical examiner for the county where
12 death occurs shall be immediately notified of:

13 (a) All deaths requiring investigation; and

14 (b) All deaths of persons admitted to a hospital or institution for less than 24 hours, although
15 the medical examiner need not investigate nor certify such deaths.

16 (4) No person having knowledge of a death requiring investigation shall intentionally or know-
17 ingly fail to make notification thereof as required by subsection (3) of this section.

18 (5) The district medical examiner or medical-legal death investigator shall immediately notify the
19 district attorney for the county where death occurs of all deaths requiring investigation except for
20 those specified by ORS 146.090 (1)(d) to (g).

21 (6) All peace officers, health care providers as defined in ORS 192.556, supervisors of penal in-
22 stitutions, **supervisors of youth correction facilities, juvenile community supervision officers**
23 **as defined in ORS 420.905**, and supervisors of hospitals or institutions caring for the ill or helpless
24 shall cooperate with the medical examiner **or medical-legal death investigator** by providing a
25 decedent's medical records and tissue samples and any other material necessary to conduct the
26 death investigation of the decedent and shall make notification of deaths as required by subsection
27 (3) of this section. A person who cooperates with the medical examiner **or medical-legal death in-**
28 **vestigator** in accordance with this subsection does not:

29 (a) Waive any claim of privilege applicable to, or the confidentiality of, the materials and re-

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 cords provided.

2 (b) Waive any claim that the materials and records are subject to an exemption from disclosure
3 under ORS 192.311 to 192.478.

4 (c) **Violate the restrictions on disclosing or providing copies of reports and other mate-**
5 **rials in ORS 419A.257.**

6 (7) Records or materials described in subsection (6) of this section may be released by the
7 medical examiner **or medical-legal death investigator** only pursuant to a valid court order.

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