

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Bill No. 635, Page 1, Section A, Line 4, by
2 inserting immediately after said line the following:

3
4 "58.451. 1. When any person, in any county in which a coroner is required by section
5 58.010, dies and there is reasonable ground to believe that such person died as a result of:

6 (1) Violence by homicide, suicide, or accident;

7 (2) Criminal abortions, including those self-induced;

8 (3) Some unforeseen sudden occurrence and the deceased had not been attended by a
9 physician during the thirty-six-hour period preceding the death;

10 (4) In any unusual or suspicious manner;

11 (5) Any injury or illness while in the custody of the law or while an inmate in a public
12 institution[;]

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14 the police, sheriff, law enforcement officer or official, or any person having knowledge of such a
15 death shall immediately notify the coroner of the known facts concerning the time, place, manner
16 and circumstances of the death. Immediately upon receipt of notification, the coroner or deputy
17 coroner shall take charge of the dead body and fully investigate the essential facts concerning the
18 medical causes of death, including whether by the act of man, and the manner of death. The
19 coroner or deputy coroner may take the names and addresses of witnesses to the death and shall file
20 this information in the coroner's office. The coroner or deputy coroner shall take possession of all
21 property of value found on the body, making exact inventory of such property on the report and
22 shall direct the return of such property to the person entitled to its custody or possession. The
23 coroner or deputy coroner shall take possession of any object or article which, in the coroner's or the
24 deputy coroner's opinion, may be useful in establishing the cause of death, and deliver it to the
25 prosecuting attorney of the county.

26 2. When a death occurs outside a licensed health care facility, except under the care of a
27 licensed, certified hospice as defined under section 197.250, the first licensed medical professional
28 or law enforcement official learning of such death shall immediately contact the county coroner.
29 Immediately upon receipt of such notification, the coroner or the coroner's deputy shall make the
30 determination if further investigation is necessary, based on information provided by the individual
31 contacting the coroner, and immediately advise such individual of the coroner's intentions. When a
32 death occurs outside a licensed health care facility under the care of a licensed, certified hospice, the
33 county coroner need not be contacted if the death is certified by the treating physician of the
34 deceased.

35 3. Upon taking charge of the dead body and before moving the body the coroner shall notify
36 the police department of any city in which the dead body is found, or if the dead body is found in

Standing Action Taken _____ Date _____

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1 the unincorporated area of a county governed by the provisions of sections 58.451 to 58.457, the
2 coroner shall notify the county sheriff or the highway patrol and cause the body to remain unmoved
3 until the police department, sheriff or the highway patrol has inspected the body and the
4 surrounding circumstances and carefully noted the appearance, the condition and position of the
5 body and recorded every fact and circumstance tending to show the cause and manner of death, with
6 the names and addresses of all known witnesses, and shall subscribe the same and make such record
7 a part of the coroner's report.

8 4. In any case of sudden, violent or suspicious death after which the body was buried
9 without any investigation or autopsy, the coroner, upon being advised of such facts, may at the
10 coroner's own discretion request that the prosecuting attorney apply for a court order requiring the
11 body to be exhumed.

12 5. The coroner may certify the cause of death in any case where death occurred without
13 medical attendance or where an attending physician refuses to sign a certificate of death or when a
14 physician is unavailable to sign a certificate of death.

15 6. When the cause of death is established by the coroner, the coroner shall file a copy of the
16 findings in the coroner's office within thirty days.

17 7. If on view of the dead body and after personal inquiry into the cause and manner of
18 death, the coroner determines that a further examination is necessary in the public interest, the
19 coroner on the coroner's own authority may make or cause to be made an autopsy on the body. The
20 coroner may on the coroner's own authority employ the services of a pathologist, chemist, or other
21 expert to aid in the examination of the body or of substances supposed to have caused or contributed
22 to death, and if the pathologist, chemist, or other expert is not already employed by the city or
23 county for the discharge of such services, the pathologist, chemist, or other expert shall, upon
24 written authorization of the coroner, be allowed reasonable compensation, payable by the city or
25 county, in the manner provided in section 58.530. The coroner shall, at the time of the autopsy,
26 record or cause to be recorded each fact and circumstance tending to show the condition of the body
27 and the cause and manner of death.

28 8. If on view of the dead body and after personal inquiry into the cause and manner of
29 death, the coroner considers a further inquiry and examination necessary in the public interest, the
30 coroner shall make out the coroner's warrant directed to the sheriff of the city or county requiring
31 the sheriff forthwith to summon six good and lawful citizens of the county to appear before the
32 coroner, at the time and place expressed in the warrant, and to inquire how and by whom the
33 deceased died.

34 9. (1) When a person is being transferred from one county to another county for medical
35 treatment and such person dies while being transferred, or dies while being treated in the emergency
36 room of the receiving facility, the place which the person is determined to be dead shall be
37 considered the place of death and the county coroner or medical examiner of the county from which
38 the person was originally being transferred shall be responsible for determining the cause and
39 manner of death for the Missouri certificate of death.

40 (2) The coroner or medical examiner in the county in which the person is determined to be
41 dead may with authorization of the coroner or medical examiner from the original transferring
42 county, investigate and conduct postmortem examinations at the expense of the coroner or medical
43 examiner from the original transferring county. The coroner or medical examiner from the original
44 transferring county shall be responsible for investigating the circumstances of such and completing
45 the Missouri certificate of death. The certificate of death shall be filed in the county where the
46 deceased was pronounced dead.

47 (3) Such coroner or medical examiner of the county where a person is determined to be
48 dead shall immediately notify the coroner or medical examiner of the county from which the person

1 was originally being transferred of the death of such person, and shall make available information
2 and records obtained for investigation of the death.

3 (4) If a person does not die while being transferred and is institutionalized as a regularly
4 admitted patient after such transfer and subsequently dies while in such institution, the coroner or
5 medical examiner of the county in which the person is determined to be dead shall immediately
6 notify the coroner or medical examiner of the county from which such person was originally
7 transferred of the death of such person. In such cases, the county in which the deceased was
8 institutionalized shall be considered the place of death. If the manner of death is by homicide,
9 suicide, accident, criminal abortion including those that are self-induced, child fatality, or any
10 unusual or suspicious manner, the investigation of the cause and manner of death shall revert to the
11 county of origin, and this coroner or medical examiner shall be responsible for the Missouri
12 certificate of death. The certificate of death shall be filed in the county where the deceased was
13 pronounced dead.

14 10. There shall not be any statute of limitations or time limits on the cause of death when
15 death is the final result or determined to be caused by homicide, suicide, accident, child fatality,
16 criminal abortion including those self-induced, or any unusual or suspicious manner. The place of
17 death shall be the place in which the person is determined to be dead. The final investigation of
18 death in determining the cause and matter of death shall revert to the county of origin, and the
19 coroner or medical examiner of such county shall be responsible for the Missouri certificate of
20 death. The certificate of death shall be filed in the county where the deceased was pronounced
21 dead.

22 11. Except as provided in subsection 9 of this section, if a person dies in one county and the
23 body is subsequently transferred to another county, for burial or other reasons, the county coroner or
24 medical examiner where the death occurred shall be responsible for the certificate of death and for
25 investigating the cause and manner of the death.

26 12. In performing the duties, the coroner or medical examiner shall comply with sections
27 58.775 to 58.785 with respect to organ donation.

28 58.720. 1. When any person dies within a county having a medical examiner as a result of:

- 29 (1) Violence by homicide, suicide, or accident;
- 30 (2) Thermal, chemical, electrical, or radiation injury;
- 31 (3) Criminal abortions, including those self-induced;
- 32 (4) Disease thought to be of a hazardous and contagious nature or which might constitute a
33 threat to public health; or when any person dies:
- 34 (a) Suddenly when in apparent good health;
- 35 (b) When unattended by a physician, chiropractor, or an accredited Christian Science
36 practitioner, during the period of thirty-six hours immediately preceding his death;
- 37 (c) While in the custody of the law, or while an inmate in a public institution;
- 38 (d) In any unusual or suspicious manner[;]

39
40 the police, sheriff, law enforcement officer or official, or any person having knowledge of such a
41 death shall immediately notify the office of the medical examiner of the known facts concerning the
42 time, place, manner and circumstances of the death. Immediately upon receipt of notification, the
43 medical examiner or his designated assistant shall take charge of the dead body and fully investigate
44 the essential facts concerning the medical causes of death. He may take the names and addresses of
45 witnesses to the death and shall file this information in his office. The medical examiner or his
46 designated assistant shall take possession of all property of value found on the body, making exact
47 inventory thereof on his report and shall direct the return of such property to the person entitled to
48 its custody or possession. The medical examiner or his designated assistant examiner shall take

1 possession of any object or article which, in his opinion, may be useful in establishing the cause of
2 death, and deliver it to the prosecuting attorney of the county.

3 2. When a death occurs outside a licensed health care facility, except under the care of a
4 licensed, certified hospice as defined under section 197.250, the first licensed medical professional
5 or law enforcement official learning of such death shall contact the county medical examiner.
6 Immediately upon receipt of such notification, the medical examiner or the medical examiner's
7 deputy shall make a determination if further investigation is necessary, based on information
8 provided by the individual contacting the medical examiner, and immediately advise such individual
9 of the medical examiner's intentions. When a death occurs outside a licensed health care facility
10 under the care of a licensed, certified hospice, the county coroner need not be contacted if the death
11 is certified by the treating physician of the deceased.

12 3. In any case of sudden, violent or suspicious death after which the body was buried
13 without any investigation or autopsy, the medical examiner, upon being advised of such facts, may
14 at his own discretion request that the prosecuting attorney apply for a court order requiring the body
15 to be exhumed.

16 4. The medical examiner shall certify the cause of death in any case where death occurred
17 without medical attendance or where an attending physician refuses to sign a certificate of death,
18 and may sign a certificate of death in the case of any death.

19 5. When the cause of death is established by the medical examiner, he shall file a copy of
20 his findings in his office within thirty days after notification of the death.

21 6. (1) When a person is being transferred from one county to another county for medical
22 treatment and such person dies while being transferred, or dies while being treated in the emergency
23 room of the receiving facility, the place which the person is determined to be dead shall be
24 considered the place of death and the county coroner or the medical examiner of the county from
25 which the person was originally being transferred shall be responsible for determining the cause and
26 manner of death for the Missouri certificate of death.

27 (2) The coroner or medical examiner in the county in which the person is determined to be
28 dead may, with authorization of the coroner or medical examiner from the transferring county,
29 investigate and conduct postmortem examinations at the expense of the coroner or medical examiner
30 from the transferring county. The coroner or medical examiner from the transferring county shall
31 be responsible for investigating the circumstances of such and completing the Missouri certificate of
32 death. The certificate of death shall be filed in the county where the deceased was pronounced
33 dead.

34 (3) Such coroner or medical examiner, or the county where a person is determined to be
35 dead, shall immediately notify the coroner or medical examiner of the county from which the person
36 was originally being transferred of the death of such person and shall make available information
37 and records obtained for investigation of death.

38 (4) If a person does not die while being transferred and is institutionalized as a regularly
39 admitted patient after such transfer and subsequently dies while in such institution, the coroner or
40 medical examiner of the county in which the person is determined to be dead shall immediately
41 notify the coroner or medical examiner of the county from which such person was originally
42 transferred of the death of such person. In such cases, the county in which the deceased was
43 institutionalized shall be considered the place of death. If the manner of death is by homicide,
44 suicide, accident, criminal abortion including those that are self-induced, child fatality, or any
45 unusual or suspicious manner, the investigation of the cause and manner of death shall revert to the
46 county of origin, and this coroner or medical examiner shall be responsible for the Missouri
47 certificate of death. The certificate of death shall be filed in the county where the deceased was
48 pronounced dead.

1 7. There shall not be any statute of limitations or time limits on cause of death when death is
2 the final result or determined to be caused by homicide, suicide, accident, criminal abortion
3 including those self-induced, child fatality, or any unusual or suspicious manner. The place of death
4 shall be the place in which the person is determined to be dead, but the final investigation of death
5 determining the cause and manner of death shall revert to the county of origin, and this coroner or
6 medical examiner shall be responsible for the Missouri certificate of death. The certificate of death
7 shall be filed in the county where the deceased was pronounced dead.

8 8. Except as provided in subsection 6 of this section, if a person dies in one county and the
9 body is subsequently transferred to another county, for burial or other reasons, the county coroner or
10 medical examiner where the death occurred shall be responsible for the certificate of death and for
11 investigating the cause and manner of the death.

12 9. In performing the duties, the coroner or medical examiner shall comply with sections
13 58.775 to 58.785 with respect to organ donation."; and

14
15 Further amend said bill by amending the title, enacting clause, and intersectional references
16 accordingly.