

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill No. 447, Page 5, Section 58.208, Line 22, by
2 inserting immediately after said section and 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 coroner
19 or deputy coroner may take the names and addresses of witnesses to the death and shall file this
20 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 shall
22 direct the return of such property to the person entitled to its custody or possession. The coroner or
23 deputy coroner shall take possession of any object or article which, in the coroner's or the deputy
24 coroner's opinion, may be useful in establishing the cause of death, and deliver it to the prosecuting
25 attorney of the county.

26 2. When a death occurs outside a licensed health care facility, the first licensed medical
27 professional or law enforcement official learning of such death shall immediately contact the county
28 coroner. Immediately upon receipt of such notification, the coroner or the coroner's deputy shall
29 make the determination if further investigation is necessary, based on information provided by the
30 individual contacting the coroner, and immediately advise such individual of the coroner's
31 intentions.

32 3. Notwithstanding the provisions of subsection 2 of this section, when a death occurs under
33 the care of a hospice, no investigation shall be required if the death is certified by the treating
34 physician of the deceased or the medical director of the hospice as a natural death due to disease or
35 diagnosed illness. The hospice shall provide written notice to the coroner within twenty-four hours
36 of the death.

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1 ~~[3-]~~ 4. Upon taking charge of the dead body and before moving the body the coroner shall
2 notify the police department of any city in which the dead body is found, or if the dead body is
3 found in the unincorporated area of a county governed by the provisions of sections 58.451 to
4 58.457, the coroner shall notify the county sheriff or the highway patrol and cause the body to
5 remain unmoved until the police department, sheriff or the highway patrol has inspected the body
6 and the surrounding circumstances and carefully noted the appearance, the condition and position of
7 the body and recorded every fact and circumstance tending to show the cause and manner of death,
8 with the names and addresses of all known witnesses, and shall subscribe the same and make such
9 record a part of the coroner's report.

10 ~~[4-]~~ 5. In any case of sudden, violent or suspicious death after which the body was buried
11 without any investigation or autopsy, the coroner, upon being advised of such facts, may at the
12 coroner's own discretion request that the prosecuting attorney apply for a court order requiring the
13 body to be exhumed.

14 ~~[5-]~~ 6. The coroner may certify the cause of death in any case where death occurred without
15 medical attendance or where an attending physician refuses to sign a certificate of death or when a
16 physician is unavailable to sign a certificate of death.

17 ~~[6-]~~ 7. When the cause of death is established by the coroner, the coroner shall file a copy of
18 the findings in the coroner's office within thirty days.

19 ~~[7-]~~ 8. If on view of the dead body and after personal inquiry into the cause and manner of
20 death, the coroner determines that a further examination is necessary in the public interest, the
21 coroner on the coroner's own authority may make or cause to be made an autopsy on the body. The
22 coroner may on the coroner's own authority employ the services of a pathologist, chemist, or other
23 expert to aid in the examination of the body or of substances supposed to have caused or contributed
24 to death, and if the pathologist, chemist, or other expert is not already employed by the city or
25 county for the discharge of such services, the pathologist, chemist, or other expert shall, upon
26 written authorization of the coroner, be allowed reasonable compensation, payable by the city or
27 county, in the manner provided in section 58.530. The coroner shall, at the time of the autopsy,
28 record or cause to be recorded each fact and circumstance tending to show the condition of the body
29 and the cause and manner of death.

30 ~~[8-]~~ 9. If on view of the dead body and after personal inquiry into the cause and manner of
31 death, the coroner considers a further inquiry and examination necessary in the public interest, the
32 coroner shall make out the coroner's warrant directed to the sheriff of the city or county requiring
33 the sheriff forthwith to summon six good and lawful citizens of the county to appear before the
34 coroner, at the time and place expressed in the warrant, and to inquire how and by whom the
35 deceased died.

36 ~~[9-]~~ 10. (1) When a person is being transferred from one county to another county for
37 medical treatment and such person dies while being transferred, or dies while being treated in the
38 emergency room of the receiving facility, the place which the person is determined to be dead shall
39 be considered the place of death and the county coroner or medical examiner of the county from
40 which the person was originally being transferred shall be responsible for determining the cause and
41 manner of death for the Missouri certificate of death.

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

49 (3) Such coroner or medical examiner of the county where a person is determined to be dead

1 shall immediately notify the coroner or medical examiner of the county from which the person was
 2 originally being transferred of the death of such person, and shall make available information and
 3 records obtained for investigation of the death.

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

15 ~~[40.]~~ 11. There shall not be any statute of limitations or time limits on the cause of death
 16 when death is the final result or determined to be caused by homicide, suicide, accident, child
 17 fatality, criminal abortion including those self-induced, or any unusual or suspicious manner. The
 18 place of death shall be the place in which the person is determined to be dead. The final
 19 investigation of death in determining the cause and matter of death shall revert to the county of
 20 origin, and the coroner or medical examiner of such county shall be responsible for the Missouri
 21 certificate of death. The certificate of death shall be filed in the county where the deceased was
 22 pronounced dead.

23 ~~[41.]~~ 12. Except as provided in subsection ~~[9]~~ 10 of this section, if a person dies in one
 24 county and the body is subsequently transferred to another county, for burial or other reasons, the
 25 county coroner or medical examiner where the death occurred shall be responsible for the certificate
 26 of death and for investigating the cause and manner of the death.

27 ~~[42.]~~ 13. In performing the duties, the coroner or medical examiner shall comply with
 28 sections 58.775 to 58.785 with respect to organ donation.

29 58.720. 1. When any person dies within a county having a medical examiner as a result of:

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

41 the police, sheriff, law enforcement officer or official, or any person having knowledge of such a
 42 death shall immediately notify the office of the medical examiner of the known facts concerning the
 43 time, place, manner and circumstances of the death. Immediately upon receipt of notification, the
 44 medical examiner or his designated assistant shall take charge of the dead body and fully investigate
 45 the essential facts concerning the medical causes of death. He may take the names and addresses of
 46 witnesses to the death and shall file this information in his office. The medical examiner or his
 47 designated assistant shall take possession of all property of value found on the body, making exact
 48 inventory thereof on his report and shall direct the return of such property to the person entitled to
 49 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, the first licensed medical
4 professional or law enforcement official learning of such death shall contact the county medical
5 examiner. Immediately upon receipt of such notification, the medical examiner or the medical
6 examiner's deputy shall make a determination if further investigation is necessary, based on
7 information provided by the individual contacting the medical examiner, and immediately advise
8 such individual of the medical examiner's intentions.

9 3. Notwithstanding the provisions of subsection 2 of this section, when a death occurs under
10 the care of a hospice, no investigation shall be required if the death is certified by the treating
11 physician of the deceased or the medical director of the hospice as a natural death due to disease or
12 diagnosed illness. The hospice shall provide written notice to the medical examiner within twenty-
13 four hours of the death.

14 [~~3-~~] 4. In any case of sudden, violent or suspicious death after which the body was buried
15 without any investigation or autopsy, the medical examiner, upon being advised of such facts, may
16 at his own discretion request that the prosecuting attorney apply for a court order requiring the body
17 to be exhumed.

18 [~~4-~~] 5. The medical examiner shall certify the cause of death in any case where death
19 occurred without medical attendance or where an attending physician refuses to sign a certificate of
20 death, and may sign a certificate of death in the case of any death.

21 [~~5-~~] 6. When the cause of death is established by the medical examiner, he shall file a copy
22 of his findings in his office within thirty days after notification of the death.

23 [~~6-~~] 7. (1) When a person is being transferred from one county to another county for
24 medical treatment and such person dies while being transferred, or dies while being treated in the
25 emergency room of the receiving facility, the place which the person is determined to be dead shall
26 be considered the place of death and the county coroner or the medical examiner of the county from
27 which the person was originally being transferred shall be responsible for determining the cause and
28 manner of death for the Missouri certificate of death.

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

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

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

1 ~~[7.]~~ 8. There shall not be any statute of limitations or time limits on cause of death when
2 death is 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.]~~ 9. Except as provided in subsection ~~[6]~~ 7 of this section, if a person dies in one county
9 and the body is subsequently transferred to another county, for burial or other reasons, the county
10 coroner or medical examiner where the death occurred shall be responsible for the certificate of
11 death and for investigating the cause and manner of the death.

12 ~~[9.]~~ 10. In performing the duties, the coroner or medical examiner shall comply with
13 sections 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.