

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

A Bill

SENATE BILL 567

5 By: Senators Bledsoe, K. Hammer
6 By: Representatives McCollum, Carr, Tosh
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW GOVERNING THE CONFIDENTIALITY
10 OF CORONERS' REPORTS AND OTHER RECORDS; AND FOR OTHER
11 PURPOSES.
12
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Subtitle

15 TO AMEND THE LAW GOVERNING THE
16 CONFIDENTIALITY OF CORONERS' REPORTS AND
17 OTHER RECORDS.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code § 14-15-304 is amended to read as follows:
23 14-15-304. Confidentiality.

24 (a) Records Except as provided in subsection (b) of this section, all
25 records gathered ~~and~~ or created during the course of a coroner's
26 investigation ~~shall be~~ are confidential and ~~deemed~~ exempt from the Freedom of
27 Information Act of 1967, § 25-19-101 et seq., ~~but only until such time that~~
28 ~~the coroner issues his or her final report.~~

29 (b) ~~Confidential medical information gathered during the course of the~~
30 ~~investigation shall remain exempt from public inspection and copying except~~
31 ~~as quoted in the coroner's final report.~~ At the conclusion of the
32 investigation by the coroner or by a law enforcement agency or prosecuting
33 attorney, the records gathered or created during the course of a county
34 coroner's investigation are subject to release under the Freedom of
35 Information Act of 1967, § 25-19-101 et seq. as follows:

36 (1) The following information is subject to release to the



1 extent reflected in the coroner's final report:

2 (A) The decedent's:

3 (i) Name;

4 (ii) Approximate age;

5 (iii) Sex;

6 (iv) City of residence; and

7 (v) Date of death;

8 (B) The location where the decedent's body was discovered;

9 (C) The cause and manner of the decedent's death, and any
10 other medical information that is:

11 (i) Related to the cause of death; and

12 (ii) Quoted in the coroner's final report; and

13 (D) A list of all other governmental entities, if any,
14 investigating the death; and

15 (2) Any other record may be disclosed to the extent its
16 disclosure complies with subdivision (b)(1) of this section and the county
17 coroner redacts all information as necessary to protect the privacy of the
18 decedent or the decedent's family, including without limitation:

19 (A) The decedent's:

20 (i) Social security number;

21 (ii) Address;

22 (iii) Phone number; and

23 (iv) Date of birth;

24 (B) Information that identifies the decedent's next of
25 kin, family members, or other individuals included in such records;

26 (C) Preliminary autopsy notes or findings, including
27 without limitation photographs;

28 (D) Investigative notes and findings made by the coroner
29 or by anyone acting under the coroner's direction or supervision;

30 (E) Suicide notes;

31 (F) Medical or psychiatric records provided to the
32 coroner; and

33 (G) Laboratory reports created by the coroner's laboratory
34 based on analysis of physical evidence if either the physical evidence or the
35 report is discoverable under the Arkansas Rules of Criminal Procedure.

1 (c) This section does not:

2 (1) Affect the release of records, files, or information under §
3 12-12-312; or

4 (2) Limit the ability of a coroner, state medical examiner,
5 medical professional, medical school, organ procurement organization, eye and
6 tissue bank, or a state or federal agency to access and use medical
7 information and databases.

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