1	State of Arkansas	A Bill	
2	86th General Assembly	A DIII	HOUSE DILL 1427
3	Regular Session, 2007		HOUSE BILL 1437
4 5	By: Representative Shelby		
6	By: Senator Salmon		
7	by. Schator Samion		
8			
9		For An Act To Be Entitled	
10	AN ACT TO IMPROVE THE PROCEDURES CONCERNING		
11	CORONER'S DEATH INVESTIGATIONS; AND FOR OTHER		
12	PURPOSES.		
13			
14		Subtitle	
15	TO IMPE	ROVE THE PROCEDURES CONCERNING	נ
16	CORONER	R'S DEATH INVESTIGATIONS.	
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19	BE IT ENACTED BY THE GEN	ERAL ASSEMBLY OF THE STATE OF	ARKANSAS:
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21	SECTION 1. Arkans	as Code § 12-12-315 is amende	d to read as follows:
22	12-12-315. Notifi	cation of certain deaths.	
23	(a)(1) The county coroner and the chief law enforcement official of		
24	the county and municipality in which the death of a human being occurs shall		
25		any physician, law enforcemen	
26	embalmer, jailer or corr	ection officer, or coroner, o	r by any other person
27	present or with knowledg		
28		he death appears to be caused	
29		micide or a suicide or to be	
30		he death appears to be the re	sult of the presence of
31	drugs or poisons in the	• .	
32		he death appears to be a resu	
33	•	s found in or near a roadway	
34		he death appears to be a resu	It of a motor vehicle
35		obvious trauma to the body;	
36	(E) T	he death occurs while the per	son is in a state mental

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institution or hospital and there is no previous medical history to explain 1 2 the death, or while the person is in police custody, a jail, or penal 3 institution: 4 The death appears to be the result of a fire or (F) 5 explosion; 6 The death of a minor child appears to indicate child (G) 7 abuse prior to death; 8 Human skeletal remains are recovered or an 9 unidentified deceased person is discovered; 10 (I) Postmortem decomposition exists to the extent that an 11 external examination of the corpse cannot rule out injury, or where the 12 circumstances of death cannot rule out the commission of a crime; The death appears to be the result of drowning; 13 14 The death is of an infant or minor child in cases in 15 which there is no previous medical history to explain the death under 16 eighteen (18) years of age; 17 (L) The manner of death appears to be other than natural; 18 (M) The death is sudden and unexplained; 19 (N) The death occurs at a work site; (0) The death is due to a criminal abortion; 20 21 The death is of a person where a physician was not in 22 attendance within thirty-six (36) hours preceding death, or, in prediagnosed 23 terminal or bedfast cases, within thirty (30) days; 24 (Q) A person is admitted to a hospital emergency room 25 unconscious and is unresponsive, with cardiopulmonary resuscitative measures 26 being performed, and dies within twenty-four (24) hours of admission without 27 regaining consciousness or responsiveness, unless a physician was in 28 attendance within thirty-six (36) hours preceding presentation to the 29 hospital, or, in cases in which the decedent had a prediagnosed terminal or 30 bedfast condition, unless a physician was in attendance within thirty (30) 31 days preceding presentation to the hospital; or 32 (R) The death occurs in the home. 33 (2) Nothing in this section shall be construed to require an 34 investigation, autopsy, or inquest in any case in which death occurred without medical attendance solely because the deceased was under treatment by 35 36 prayer or spiritual means in accordance with the tenets and practices of a

1 well-recognized church or religious denomination. 2 (b) A violation of the provisions of this section is a Class A 3 misdemeanor. 4 5 SECTION 2. Arkansas Code § 14-15-302 is amended to read as follows: 6 14-15-302. Coroner's investigation. 7 (a) A coroner's investigation does not include criminal investigation 8 responsibilities. However, the coroner shall assist any law enforcement 9 agency or the State Crime Laboratory upon request. (b)(1) Coroners shall be given access to all death scenes in order to 10 11 perform the duties set forth in this subchapter. 12 (2) A coroner is authorized to issue subpoenas as necessary to 13 secure pertinent medical or other records and testimony relevant to the determination of the cause and manner of death. 14 15 (c)(1) The coroners and their deputies who have received instruction 16 and have been deemed qualified by the State Crime Laboratory to take and 17 handle toxicological samples from dead human bodies are authorized to do so for the purpose of determining the presence of chemical agents that may have 18 contributed to the cause of death. 19 20 (2) Toxicological samples may be taken from bodies in those 21 cases where the coroner is required by law to conduct an investigation. 22 (d) No person, institution, or office in this state who shall make 2.3 available information or material under this section shall be liable for 24 violating any criminal law of this state, nor shall any person, institution, 25 or office be held liable in tort for compliance with this section. 26 (e)(1) A preliminary written report of the coroner's investigation 27 shall be completed within five (5) working days. If indicated, a subsequent 28 report shall be completed. 29 (2) If the death occurred without medical attendance or was the 30 result of a homicide, an accident, or a suicide, then the report shall include without limitation the following information regarding the decedent: 31 32 (A) Name; 33 (B) Age or approximate age if unknown; 34 (C) Sex; 35 (D) Social security number if available;

(E) Home address;

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1	(F) Location where the body was discovered;		
2	(G) Time of death or approximate time if unknown;		
3	(H) Condition of the body, including any recent trauma,		
4	body temperature, and position;		
5	(I) Any prescribed medications;		
6	(J) Pertinent medical history;		
7	(K) Cause and manner of death;		
8	(L) Photographs or information where photographs may be		
9	accessed in cases of non-natural deaths and deaths of persons under eighteen		
10	(18) years of age;		
11	(M) List of all other governmental entities investigating		
12	the death; and		
13	(N) Disposition of the body.		
14	(3) Nothing in this section shall limit or otherwise restrict		
15	the exercise of professional judgment or discretion by a coroner or prohibit		
16	access to information or testimony necessary to complete a coroner's		
17	investigation.		
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19	SECTION 3. Arkansas Code Title 14, Chapter 15, Subchapter 3 is amended		
20	to add an additional section to read as follows:		
21	14-15-306. Disposition of prescription medication.		
22	(a) A coroner may collect and secure any prescription medication of		
23	the decedent to ensure that the medication does not come into the possession		
24	of a person who might use the medication in an illegal or harmful manner.		
25	(b) Collected medication shall be disposed of under circuit court		
26	order or shall be forwarded to the Division of Health of the Department of		
27	Health and Human Services within thirty (30) days for proper destruction		
28	under § 20-64-214.		
29	(c) This section shall not apply to any prescription medication in the		
30	custody or possession of an institutional health care provider or attending		
31	hospice nurse that is subject to other laws and regulations governing the		
32	destruction or disposition of patient or resident medication.		
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