

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

As Engrossed: S3/29/21

# 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.  
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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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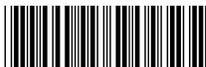
20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. Arkansas Code § 14-15-304 is amended to read as follows:  
23 14-15-304. Confidentiality.

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, including  
13 without limitation the coroner's case narrative; and

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

16 (2) Except as provided under subsection (c) of this section, any  
17 other record shall be disclosed after the county coroner redacts all  
18 information as necessary to protect the privacy of the decedent or the  
19 decedent's family, including without limitation:

20 (A) The decedent's:

21 (i) Social security number;

22 (ii) Address; and

23 (iii) Phone number;

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; and

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

30 (c) The following records gathered or created during the course of a  
31 coroner's investigation shall be exempt from disclosure under the Freedom of  
32 Information Act of 1967, § 25-19-101 et seq.:

33 (1) Medical or psychiatric records provided to the coroner; and

34 (2) Laboratory reports related to the decedent generated based  
35 on the analysis of physical evidence if either the physical evidence or the  
36 report is discoverable under the Arkansas Rules of Criminal Procedure.

1           (d) 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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*/s/Bledsoe*

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