

HOUSE BILL REPORT

HB 1223

As Reported by House Committee On:
Children & Family Services

Title: An act relating to placing jurisdiction over deceased minors with the county coroner.

Brief Description: Placing jurisdiction over deceased minors with the county coroner.

Sponsors: Representatives Dickerson, Kagi, Chase, Cody and Lovick.

Brief History:

Committee Activity:

Children & Family Services: 1/29/03, 2/12/03 [DPS].

Brief Summary of Substitute Bill

- Authorizes the coroner to have jurisdiction, and the Department of Social and Health Services (Department) to be notified and given access to records, in all cases involving the death of a minor.

HOUSE COMMITTEE ON CHILDREN & FAMILY SERVICES

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 8 members: Representatives Kagi, Chair; Darneille, Vice Chair; Boldt, Ranking Minority Member; Bailey, Dickerson, Miloscia, Pettigrew and Shabro.

Staff: Sonja Hallum (786-7092).

Background:

In Washington, the county coroner has jurisdiction of bodies of all deceased persons who come to their death through a variety of circumstances. The coroner may authorize an autopsy or post mortem in any case in which the coroner has jurisdiction over the body. Records of the autopsies or post mortems are confidential and may only be released to those parties authorized by statute. The Department is not currently among the list of those authorized to receive reports and records of autopsies and post mortems.

Summary of Substitute Bill:

Cases in which the deceased is a minor are included in the list of circumstances where the county coroner is given jurisdiction over bodies of the deceased person.

The county coroner must promptly notify the Department that the coroner has received notice of a minor's death.

The Department is authorized to receive reports and records of autopsies and post mortems in cases involving the death of a minor where abuse or neglect of the child may have caused or contributed to the death or in cases in which the Department had an open case on the deceased minor within the year preceding the death of the minor.

If the Department initiates a death investigation, the Department may share the coroner's documents with the investigators as a part of the investigation process.

Substitute Bill Compared to Original Bill:

The original bill allowed the Department to obtain reports and records of autopsies and post mortems in any case involving the death of any minor. The substitute limits when the department may obtain the reports and records of autopsies and post mortems to cases where abuse or neglect may have cause or contributed to the death of the minor or when the Department had an open case on the deceased minor within the year preceding the death of the minor.

The substitute adds a provision allowing the Department to share the reports and records of autopsies and post mortems with investigators if the Department initiates a death investigation.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: The bill takes effect ninety days after adjournment of session in which bill is passed.

Testimony For: (Original bill) Washington has a flawed death review process. If we fail to communicate, other children may die. There is a lack of accountability. Coroners lack uniformity in dealing with child deaths. The Department should be able to access reports. By referring child deaths to the Department, the Department can investigate the home the child came from and protect the other children in the home.

Testimony Against: (Original bill) Section 1 is redundant because all deaths are reported to the coroner regardless of age. There should be a restriction on the further

dissemination of information. Children Protective Services does not need these reports unless there is a case of abuse or neglect. Child abuse reports are already mandatory. There are no instances where the current system doesn't work. This bill would add to the work of the coroners. It would be difficult to keep records confidential.

Testified: (In support) Representative Dickerson, prime sponsor; Delight Roberts, Children's Alliance; and Art Cantrall, Department of Social and Health Services.

(Against) Greg Sandstrom, Kitsap County Coroner; and Martha Reed, Mason County Coroner.