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## Judiciary Committee

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### SSB 5256

**Title:** An act relating to reports and records of autopsies and postmortems.

**Brief Description:** Concerning the confidentiality of certain autopsy and postmortem reports and records.

**Sponsors:** Senate Committee on Law & Justice (originally sponsored by Senators Padden and Baumgartner).

<p style="text-align: center;"><b>Brief Summary of Substitute Bill</b></p> <ul style="list-style-type: none"><li>• Provides that coroners and medical examiners are not prohibited from discussing the cause, manner, and mechanism of death when the death was caused by the actions of a law enforcement officer or occurred in a penitentiary or institution.</li></ul>
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**Hearing Date:** 3/19/13

**Staff:** Omeara Harrington (786-7136).

**Background:**

The bodies of individuals who die suddenly, under unnatural or unlawful circumstances, or from violence, among other specified causes, are under the jurisdiction of the county coroner or medical examiner. Autopsies may be performed as required by the coroner or medical examiner, as authorized by family members, guardians, or agencies authorized to dispose of the decedent's remains, or upon court order.

Reports and records of autopsies and postmortems are confidential. Only specified persons and entities may examine the reports and records and obtain copies, including the personal representative of the decedent, the decedent's family, the attending physician or advanced registered nurse practitioner, the prosecuting attorney or law enforcement agencies having jurisdiction, public health officials, the Department of Labor and Industries in cases in which it has an interest, and the Department of Social and Health Services when performing a child

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fatality review. On request, the attending physician, the medical examiner, or the coroner must meet with the decedent's family members to discuss the findings of the autopsy or postmortem.

**Summary of Bill:**

The coroner or medical examiner is not prohibited from discussing his or her conclusions as to the cause, manner, and mechanism of death in cases where actions of a law enforcement officer were the proximate cause of the death, or in cases where the death occurred in a penitentiary or institution.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill takes effect on January 1, 2014.