

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH10366-MG-97

Short Title: Improve Efficiency of Medical Examiner System. (Public)

Sponsors: Representatives Boles, Dobson, Iler, and Richardson (Primary Sponsors).

Referred to:

A BILL TO BE ENTITLED

AN ACT EXPANDING THE GROUPS OF PROFESSIONALS QUALIFIED FOR APPOINTMENT AS MEDICAL EXAMINERS TO INCLUDE RETIRED PHYSICIANS, CERTIFIED MEDICOLEGAL DEATH INVESTIGATORS, AND PATHOLOGISTS' ASSISTANTS; DEFINING WHEN A BODY IS UNCLAIMED FOR THE PURPOSE OF DETERMINING THE METHOD OF DISPOSAL AFTER THE COMPLETION OF A DEATH INVESTIGATION; AND PROTECTING THE CONFIDENTIALITY OF CERTAIN INFORMATION AND RECORDS OBTAINED BY THE OFFICE OF THE CHIEF MEDICAL EXAMINER CONCERNING DEATH INVESTIGATIONS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 130A-382(a) reads as rewritten:

"(a) The Chief Medical Examiner shall appoint two or more county medical examiners for each county for a three-year term. In appointing medical examiners for each county, the Chief Medical Examiner shall give preference to physicians licensed to practice medicine in this State but may also appoint ~~licensed retired physicians previously licensed to practice in this State;~~ physician assistants, nurse practitioners, ~~nurses,~~ or nurses licensed to practice in this State; emergency medical technician ~~paramedics,~~ paramedics credentialed under G.S. 131E-159; medicolegal death investigators certified by the American Board of Medicolegal Death Investigators; and pathologists' assistants. A medical examiner may serve more than one county. The Chief Medical Examiner may take jurisdiction in any case or appoint another medical examiner to do so."

SECTION 2. G.S. 130A-383(c) reads as rewritten:

"(c) Upon completion of the investigation and in accordance with the rules of the Commission, the medical examiner shall release the body to the next of kin or other interested person who will assume responsibility for final disposition. If the body is unclaimed, the Chief Medical Examiner shall dispose of the body by cremation. For the purpose of this subsection, a body is deemed unclaimed if either of the following conditions apply:

- (1) Within 10 days after the date of death, no individual has notified the person in possession of the dead body of the desire to dispose of the dead body.
- (2) All individuals who have expressed interest in arranging for disposition of the dead body have (i) ceased communicating with the person in possession of the dead body for at least five consecutive days, (ii) at least 10 days have passed since the date of death, and (iii) the person in possession of the body has used reasonable efforts to contact all individuals who have expressed interest in arranging for final disposition.



1 **SECTION 3.** Article 16 of Chapter 130A of the General Statutes is amended by
2 adding a new section to read:

3 "**§ 130A-386.5. Confidentiality of certain death investigation information and records**
4 **received by the Office of the Chief Medical Examiner.**

5 All information and records provided by a city, county, or other public entity to the Office of
6 the Chief Medical Examiner, or its agents, concerning a death investigation shall retain the same
7 degree of confidentiality it had while in the possession of the city, county, or other public entity.
8 Such information and records shall not become public records, as defined under Chapters 121
9 and 132 of the General Statutes, when provided to the Office of the Chief Medical Examiner, or
10 its agents, unless the information and records otherwise constituted public records while in the
11 possession of the city, county, or other public entity."

12 **SECTION 4.** This act is effective when it becomes law.