

1 SB68
2 204305-1
3 By Senator Coleman-Madison
4 RFD: Healthcare
5 First Read: 04-FEB-20
6 PFD: 01/30/2020

8 SYNOPSIS: Existing law does not require a medical
9 examiner performing his or her duties in any county
10 in this state to notify the next of kin when
11 retaining a deceased person's organ or organs for
12 additional testing that is required to determine
13 the cause or manner of death.

14 This bill would require a medical examiner
15 performing his or her duties in any county in this
16 state to notify the next of kin, through the
17 appropriate law enforcement agency, when retaining
18 a deceased person's organ or organs for additional
19 testing that is required to determine the cause or
20 manner of death.

21 This bill would also prohibit a medical
22 examiner who is performing his or her duties in any
23 county in this state from retaining an organ of the
24 deceased for research or any other purpose not in
25 conjunction with a determination of identification,
26 cause, or manner of death without notification to,
27 and approval by, the appropriate next of kin.

1
2 A BILL
3 TO BE ENTITLED
4 AN ACT

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6 Relating to medical examiners; to require medical
7 examiners to notify the next of kin, through the appropriate
8 law enforcement agency, when retaining a deceased person's
9 organ or organs for additional testing related to a
10 determination of the cause or manner of death; and to prohibit
11 medical examiners from retaining an organ of the deceased for
12 research or other purposes not in conjunction with a
13 determination of identification, cause, or manner of death
14 without notification to, and approval by, the next of kin.
15 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

16 Section 1. (a) Unless directed otherwise by the
17 Governor, the Attorney General, a district attorney, or an
18 order of a circuit court judge, a medical examiner performing
19 his or her duties in any county in this state as provided
20 under existing law, including a medical examiner employed by
21 the Department of Forensic Sciences, shall notify the next of
22 kin, through the appropriate law enforcement agency, when
23 retaining a deceased person's entire organ or organs for
24 additional testing that is required to determine
25 identification or the cause or manner of death.

26 (b) A medical examiner performing his or her duties
27 in any county in this state as provided under existing law,

1 including a medical examiner employed by the Department of
2 Forensic Sciences, is prohibited from retaining a deceased
3 person's entire organ or organs for research or any other
4 purpose not in conjunction with a determination of
5 identification or cause or manner of death without
6 notification to, and approval by, the appropriate next of kin.

7 Section 2. This act shall become effective on the
8 first day of the third month following its passage and
9 approval by the Governor, or its otherwise becoming law.