

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1216

Chapter 82, Laws of 2001

57th Legislature
2001 Regular Legislative Session

CHILDREN--DEATH INVESTIGATION

EFFECTIVE DATE: 7/22/01

Passed by the House March 9, 2001
Yeas 93 Nays 0

FRANK CHOPP
**Speaker of the House of
Representatives**

CLYDE BALLARD
**Speaker of the House of
Representatives**

Passed by the Senate April 5, 2001
Yeas 47 Nays 0

BRAD OWEN
President of the Senate

Approved April 19, 2001

GARY LOCKE
Governor of the State of Washington

CERTIFICATE

We, Timothy A. Martin and Cynthia Zehnder, Co-Chief Clerks of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1216** as passed by the House of Representatives and the Senate on the dates hereon set forth.

CYNTHIA ZEHNDER
Chief Clerk

TIMOTHY A. MARTIN
Chief Clerk

FILED

April 19, 2001 - 4:45 p.m.

**Secretary of State
State of Washington**

HOUSE BILL 1216

Passed Legislature - 2001 Regular Session

State of Washington 57th Legislature 2001 Regular Session

By Representatives Lambert, O'Brien, Carrell and Delvin

Read first time 01/19/2001. Referred to Committee on Judiciary.

1 AN ACT Relating to investigating sudden unexplained deaths of
2 children; and amending RCW 43.103.100 and 68.50.104.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 43.103.100 and 1991 c 176 s 6 are each amended to read
5 as follows:

6 (1) The council shall research and develop an appropriate training
7 component on the subject of sudden, unexplained child death, including
8 but not limited to sudden infant death syndrome. The training
9 component shall include, at a minimum:

10 ~~((1))~~ (a) Medical information on sudden, unexplained child death
11 for first responders, including awareness and sensitivity in dealing
12 with families and child care providers, and the importance of
13 forensically competent death scene investigation;

14 ~~((2))~~ (b) Information on community resources and support groups
15 available to assist families who have lost a child to sudden,
16 unexplained death, including sudden infant death syndrome; and

17 ~~((3))~~ ~~Development and adoption of an up-to-date protocol of~~
18 ~~investigation in cases of sudden, unexplained child death, including~~

1 ~~the importance of a consistent policy of thorough death scene~~
2 ~~investigation, and an autopsy in unresolved cases as appropriate;~~

3 (4)) (c) The value of timely communication between the county
4 coroner or medical examiner and the public health department, when a
5 sudden, unexplained child death occurs, in order to achieve a better
6 understanding of such deaths, and connecting families to various
7 community and public health support systems to enhance recovery from
8 grief.

9 (2) The council shall work with volunteer groups with expertise in
10 the area of sudden, unexplained child death, including but not limited
11 to the SIDS ((Northwest Regional Center at Children's Hospital, the
12 Washington chapter of the national SIDS)) foundation((7)) of Washington
13 and the Washington association of county officials.

14 ((Upon development of an appropriate curriculum, agreed upon by the
15 council, the training module shall be offered to first responders,
16 coroners, medical examiners, prosecuting attorneys serving as coroners,
17 and investigators, both voluntarily through their various associations
18 and as a course offering at the criminal justice training center.))

19 (3) Basic training for death investigators offered by the
20 Washington association of coroners and medical examiners and the
21 criminal justice training commission shall include a module which
22 specifically addresses the investigations of the sudden unexplained
23 deaths of children under the age of three. The training module shall
24 include a scene investigation protocol endorsed or developed by the
25 council. A similar training curriculum shall be required for city and
26 county law enforcement officers and emergency medical personnel
27 certified by the department of health as part of their basic training
28 through the criminal justice training commission or the department of
29 health emergency medical training certification program.

30 (4) Each county shall use a protocol that has been endorsed or
31 developed by the council for scene investigations of the sudden
32 unexplained deaths of children under the age of three. The council may
33 utilize guidelines from the center for disease control and other
34 appropriate resources.

35 (5) The council shall develop a protocol for autopsies of children
36 under the age of three whose deaths are sudden and unexplained. This
37 protocol shall be used by pathologists who are not certified by the
38 American board of pathology in forensic pathology, and who are
39 providing autopsy services to coroners and medical examiners.

1 **Sec. 2.** RCW 68.50.104 and 1983 1st ex.s. c 16 s 14 are each
2 amended to read as follows:

3 (1) The cost of autopsy shall be borne by the county in which the
4 autopsy is performed, except when requested by the department of labor
5 and industries, in which case, the department shall bear the cost of
6 such autopsy(~~(; and except when performed on a body of an infant under~~
7 ~~the age of three years by the University of Washington medical school,~~
8 ~~in which case the medical school shall bear the cost of such autopsy)).~~

9 (2) Except as provided in (c) of this subsection, when the county
10 bears the cost of an autopsy, it shall be reimbursed from the death
11 investigations(~~(^)~~) account, established by RCW 43.79.445, as follows:

12 (~~(+1)~~) (a) Up to forty percent of the cost of contracting for the
13 services of a pathologist to perform an autopsy; (~~and~~

14 ~~(+2)~~) (b) Up to twenty-five percent of the salary of pathologists
15 who are primarily engaged in performing autopsies and are (~~(+a)~~) (i)
16 county coroners or county medical examiners, or (~~(+b)~~) (ii) employees
17 of a county coroner or county medical examiner; and

18 (c) When the county bears the cost of an autopsy of a child under
19 the age of three whose death was sudden and unexplained, the county
20 shall be reimbursed for the expenses of the autopsy when the death
21 scene investigation and the autopsy have been conducted under RCW
22 43.103.100 (4) and (5), and the autopsy has been done at a facility
23 designed for the performance of autopsies.

24 Payments from the account shall be made pursuant to biennial
25 appropriation: PROVIDED, That no county may reduce funds appropriated
26 for this purpose below 1983 budgeted levels.

Passed the House March 9, 2001.

Passed the Senate April 5, 2001.

Approved by the Governor April 19, 2001.

Filed in Office of Secretary of State April 19, 2001.