

HOUSE BILL REPORT

HB 2432

As Reported by House Committee On:
Local Government

Title: An act relating to coroners.

Brief Description: Concerning coroners.

Sponsors: Representatives Klippert and Goodman.

Brief History:

Committee Activity:

Local Government: 1/29/20, 1/31/20 [DPS].

Brief Summary of Substitute Bill

- Requires that coroners, medical examiners, and the investigative employees of their offices must complete medicolegal forensic investigation training within 12 months of assuming office.
- Requires coroner and medical examiner's offices to be accredited by the National Association of Medical Examiners or the International Association of Coroners and Medical Examiners by July 1, 2024.
- Exempts county coroner's offices run by an elected prosecuting attorney from new training and accreditation requirements.

HOUSE COMMITTEE ON LOCAL GOVERNMENT

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 6 members: Representatives Pollet, Chair; Duerr, Vice Chair; Kraft, Ranking Minority Member; Appleton, Goehner and Senn.

Staff: Kellen Wright (786-7134).

Background:

Every county in Washington has a coroner or medical examiner to conduct inquests, order autopsies, and to determine cause of death in certain cases. Whether a county has a coroner

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or medical examiner, and how that person is chosen for the position, is dependent on the size of the county and on whether the county is a charter county or a non-charter county. In a non-charter county with under 40,000 people, the elected prosecuting attorney serves as the ex-officio coroner. In a non-charter county above 40,000, but under 250,000 people, the position of coroner is elected. In a non-charter county with a population of 250,000 or more, the county legislative authority, with voter approval, may replace the position of coroner with that of a medical examiner. Medical examiners are appointed rather than elected, and must either be certified as a forensic pathologist or be a qualified physician eligible to take the pathology certification within one year of being appointed. A physician who specializes in pathology but who is not certified as a forensic pathologist has three years to pass the examination.

In the seven charter counties, five have appointed a medical examiner, while two maintain the prosecuting attorney as the coroner.

The cost of an autopsy is borne by the county in which the autopsy is performed. Some of these costs, however, are reimbursed from the death investigations account. Reimbursed costs include 40 percent of the cost of contracting for an outside pathologist and 25 percent of the salary for an internal pathologist.

Summary of Substitute Bill:

Within 12 months of assuming office as either coroner or medical examiner, or as an investigator in such an office, the coroner, medical examiner, or employee must have completed medicolegal forensic investigation training that complies with standards set by the Criminal Justice Training Commission and the Washington Association of Coroners and Medical Examiners. This training program must meet the recommendations made by the National Commission on Forensic Science and must include training on sudden, unexplained infant death and on missing persons protocols. Completion of this training is a requirement of continued employment with a coroner or medical examiner's office. These training requirements do not apply to elected prosecutors who serve as coroners, or to their staff.

A county can be reimbursed for up to 30 percent of the salary of a pathologist who works for, or leads, a county coroner or medical examiner's office.

Additionally, other than those offices run by a prosecuting attorney, all coroner and medical examiner offices must be accredited by either the National Association of Medical Examiners or the International Association of Coroners and Medical Examiners by July 1, 2024, and must maintain the accreditation thereafter.

Substitute Bill Compared to Original Bill:

The substitute bill:

- exempts county coroner offices run by an elected prosecutor from the training and accreditation requirements that coroner and medical examiner offices must satisfy;

- removes a provision from the bill that would have, on January 1, 2027, ended the requirement that county prosecuting attorneys serve as ex-officio coroners in non-charter counties with a population of under 40,000; and
 - removes a provision from the bill that would have withheld autopsy reimbursement funds from a county if the county coroner or medical examiner's offices was not certified as required.
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Appropriation: None.

Fiscal Note: Requested on January 20, 2020.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) Death investigations in Washington should be uniform, regardless of the size of the county. This bill is aimed at advancing the medicolegal community in Washington. It would mandate a 240 hour death investigations academy for coroners, medical examiners, and their investigative employees. This is already budgeted for, and will be provided at no cost to the counties; the uniform training just needs to be approved. All officers must be certified and independently accredited. This bill follows federal guidelines from the Department of Justice and is supported by prosecutors and counties.

(Opposed) None.

(Other) Increasing professionalism of coroner and medical examiner's offices is laudable. There is concern, however, that counties would lose reimbursement if the county coroner and medical examiner's offices were not certified as required; counties would then be on the hook for this funding. Additionally, removing the elected prosecutor as ex-officio coroner would cause problems for small counties that have no need for an elected coroner.

Persons Testifying: (In support) Representative Klippert, prime sponsor; Timothy Davidson, Washington Association of Coroners Medical Examiners; and Hayley Thompson, Skagit County Coroners Office.

(Other) Mellani McAleenan, Washington State Association of Counties.

Persons Signed In To Testify But Not Testifying: None.