

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1032

Chapter 176, Laws of 1991

52nd Legislature
1991 Regular Session

DEATH INVESTIGATIONS AND RESPONSIBILITY FOR COSTS OF
TRANSPORTING HUMAN REMAINS

EFFECTIVE DATE: 7/28/91

Passed by the House March 19, 1991
Yeas 98 Nays 0

JOE KING
**Speaker of the
House of Representatives**

Passed by the Senate April 10, 1991
Yeas 45 Nays 0

JOEL PRITCHARD
President of the Senate

Approved May 15, 1991

BOOTH GARDNER
Governor of the State of Washington

CERTIFICATE

I, Alan Thompson, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1032** as passed by the House of Representatives and the Senate on the dates hereon set forth.

ALAN THOMPSON
Chief Clerk

FILED

May 15, 1991 - 11:24 a.m.

Secretary of State
State of Washington

HOUSE BILL 1032

AS AMENDED BY THE SENATE

Passed Legislature - 1991 Regular Session

State of Washington 52nd Legislature 1991 Regular Session

By Representatives Haugen, Ferguson, Cooper, Nealey and Chandler.

Read first time January 16, 1991. Referred to Committee on Local Government.

1 AN ACT Relating to death investigations; amending RCW 43.103.030,
2 28B.20.426, and 43.79.445; adding a new section to chapter 68.50 RCW;
3 adding a new section to chapter 43.103 RCW; creating a new section; and
4 repealing RCW 68.50.030.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 68.50 RCW
7 to read as follows:

8 Whenever a coroner or medical examiner assumes jurisdiction over
9 human remains and directs transportation of those remains by a funeral
10 establishment, as defined in RCW 18.39.010, the reasonable costs of
11 transporting shall be borne by the county if: (1) The funeral
12 establishment transporting the remains is not providing the funeral or
13 disposition services; or (2) the funeral establishment providing the

1 funeral or disposition services is required to transport the remains to
2 a facility other than its own.

3 Except as provided in RCW 36.39.030, 68.52.030, and 73.08.070, any
4 transportation costs or other costs incurred after the coroner or
5 medical examiner has released jurisdiction over the human remains shall
6 not be borne by the county.

7 **Sec. 2.** RCW 43.103.030 and 1983 1st ex.s. c 16 s 3 are each
8 amended to read as follows:

9 There is created the Washington state death investigations council.
10 The council shall oversee the state toxicology laboratory and, together
11 with the president of the University of Washington, control the
12 laboratory's operation. The council may also study and recommend cost-
13 efficient improvements to the death investigation system in Washington
14 and report its findings to the legislature.

15 Further, the council shall, jointly with the chairperson of the
16 pathology department of the University of Washington's School of
17 Medicine, or the chairperson's designee, oversee the state forensic
18 pathology fellowship program, determine the budget for the program and
19 set the fellow's annual salary, and take those steps necessary to
20 administer the program.

21 **Sec. 3.** RCW 28B.20.426 and 1986 c 31 s 1 are each amended to read
22 as follows:

23 (1) A fellowship program in forensic pathology is created in the
24 school of medicine at the University of Washington. The program shall
25 provide training for one person per year. The program shall be funded
26 from funds in the death investigation account of the general fund under
27 RCW 43.79.445.

1 (2) The fellowship recipient, during the period of his or her
2 fellowship, shall be available, as soon as his or her level of
3 expertise warrants it, to the county coroners of the state without
4 charge to perform autopsies, for consultations, and to provide
5 testimony in court.

6 (3) The forensic pathology fellowship shall be administered
7 according to the provisions in RCW 43.103.030, as amended.

8 **Sec. 4.** RCW 43.79.445 and 1986 c 31 s 2 are each amended to read
9 as follows:

10 There is established an account in the state treasury referred to
11 as the "death investigations' account" which shall exist for the
12 purpose of receiving, holding, investing, and disbursing funds
13 appropriated or provided in (~~section 20, chapter 16, Laws of 1983 1st~~
14 ~~ex. sess.~~) RCW 70.58.107 and any moneys appropriated or otherwise
15 provided thereafter. All earnings of investments of balances in the
16 death investigations' account shall be credited to the general fund.

17 Moneys in the death investigations' account shall be disbursed by
18 the state treasurer once every year on December 31 and at any other
19 time determined by the treasurer. (~~The above mentioned entities and~~
20 ~~individuals may submit billings to the state treasurer prior to~~
21 ~~December 31. The University of Washington may also submit billings for~~
22 ~~amounts not to exceed thirty five thousand dollars per twelve month~~
23 ~~period for the fellowship program in forensic pathology under RCW~~
24 ~~28B.20.426 and the state treasurer shall make such payments for the~~
25 ~~fellowship program in forensic pathology under RCW 28B.20.426)) The
26 treasurer shall make disbursements to: The state toxicology
27 laboratory, counties for the cost of autopsies, the University of
28 Washington to fund the state forensic pathology fellowship program, the
29 state patrol for providing partial funding for the state dental~~

1 identification system, the criminal justice training commission for
2 training county coroners, medical examiners and their staff, and the
3 state death investigations council.

4 The University of Washington and the Washington state death
5 investigations council shall jointly determine the yearly amount for
6 the state forensic pathology fellowship program established by RCW
7 28B.20.426.

8 NEW SECTION. Sec. 5. The legislature finds and declares that
9 sudden and unexplained child deaths are a leading cause of death for
10 children under age three. The public interest is served by research
11 and study of the potential causes and indications of such unexplained
12 child deaths and the prevention of inaccurate and inappropriate
13 designation of sudden infant death syndrome (SIDS) as a cause of death.
14 The legislature further finds and declares that law enforcement
15 officers, fire fighters, emergency medical technicians, and other first
16 responders in emergency situations are not adequately informed
17 regarding sudden, unexplained death in young children including but not
18 limited to sudden infant death syndrome, its signs and typical history,
19 and as a result may compound the family and child care provider's grief
20 through conveyed suspicions of a criminal act. Coroners,
21 investigators, and prosecuting attorneys are also in need of updated
22 training on the identification of unexplained death in children under
23 the age of three, including but not limited to sudden infant death
24 syndrome awareness and sensitivity and the establishment of a state-
25 wide uniform protocol in cases of sudden, unexplained child death.

26 NEW SECTION. Sec. 6. A new section is added to chapter 43.103 RCW
27 to read as follows:

1 The council shall research and develop an appropriate training
2 component on the subject of sudden, unexplained child death, including
3 but not limited to sudden infant death syndrome. The training
4 component shall include, at a minimum:

5 (1) Medical information on sudden, unexplained child death for
6 first responders, including awareness and sensitivity in dealing with
7 families and child care providers, and the importance of forensically
8 competent death scene investigation;

9 (2) Information on community resources and support groups available
10 to assist families who have lost a child to sudden, unexplained death,
11 including sudden infant death syndrome;

12 (3) Development and adoption of an up-to-date protocol of
13 investigation in cases of sudden, unexplained child death, including
14 the importance of a consistent policy of thorough death scene
15 investigation, and an autopsy in unresolved cases as appropriate;

16 (4) The value of timely communication between the county coroner or
17 medical examiner and the public health department, when a sudden,
18 unexplained child death occurs, in order to achieve a better
19 understanding of such deaths, and connecting families to various
20 community and public health support systems to enhance recovery from
21 grief.

22 The council shall work with volunteer groups with expertise in the
23 area of sudden, unexplained child death, including but not limited to
24 the SIDS Northwest Regional Center at Children's Hospital, the
25 Washington chapter of the national SIDS foundation, and the Washington
26 association of county officials.

27 Upon development of an appropriate curriculum, agreed upon by the
28 council, the training module shall be offered to first responders,
29 coroners, medical examiners, prosecuting attorneys serving as coroners,

1 and investigators, both voluntarily through their various associations
2 and as a course offering at the criminal justice training center.

3 NEW SECTION. **Sec. 7.** RCW 68.50.030 and 1917 c 90 s 5 are each
4 repealed.

Passed the House March 19, 1991.

Passed the Senate April 10, 1991.

Approved by the Governor May 15, 1991.

Filed in Office of Secretary of State May 15, 1991.