
SUBSTITUTE HOUSE BILL 1326

State of Washington

67th Legislature

2021 Regular Session

By House Local Government (originally sponsored by Representatives Lekanoff, Goodman, Ramel, Orwall, Klippert, Bateman, Lovick, and Pollet)

READ FIRST TIME 02/09/21.

1 AN ACT Relating to coroners and medical examiners; amending RCW
2 36.16.030, 68.50.104, and 68.50.010; adding new sections to chapter
3 36.24 RCW; adding a new section to chapter 43.101 RCW; and providing
4 an effective date.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 36.24
7 RCW to read as follows:

8 Within 12 months of assuming office, a person who files a
9 declaration of candidacy for the office of coroner or county medical
10 examiner must have a certificate of completion of medicolegal
11 forensic investigation training that complies with the standards
12 adopted for the medicolegal training academy adopted by the criminal
13 justice training commission in conjunction with the Washington
14 association of coroners and medical examiners and a practicing
15 physician selected by the commission pursuant to section 3 of this
16 act. A county in which the coroner or county medical examiner has not
17 obtained such certification within 12 months of assuming office is
18 ineligible to receive reimbursement from the death investigations
19 account under RCW 68.50.104.

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 36.24
2 RCW to read as follows:

3 Except those run by a county prosecutor, all county coroner's
4 offices and medical examiner's offices must be accredited by either
5 the international association of coroners and medical examiners or
6 the national association of medical examiners no later than July 1,
7 2025, and maintain continued accreditation thereafter. A county that
8 contracts for its coroner or medical examiner services with an
9 accredited coroner or medical examiner's office in another county
10 does not need to maintain accreditation.

11 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.101
12 RCW to read as follows:

13 (1) (a) All elected coroners, persons serving as coroners, medical
14 examiners, and all other full-time medicolegal investigative
15 personnel employed by a county coroner's or medical examiner's office
16 must successfully complete medicolegal forensic investigation
17 training through the medicolegal training academy program within 12
18 months of being elected, appointed, or employed unless otherwise
19 exempted by the commission. This section does not apply to elected
20 prosecutors who are coroners in their counties.

21 (b) All part-time medicolegal investigative personnel employed by
22 a county coroner's or medical examiner's office must successfully
23 complete medicolegal forensic investigation training through the
24 medicolegal training academy program within 18 months of being
25 employed unless otherwise exempted by the commission.

26 (2) The commission, in conjunction with the Washington
27 association of coroners and medical examiners and a practicing
28 physician selected by the commission, shall develop the medicolegal
29 forensic investigation training curriculum and adopt the standards
30 for the medicolegal training academy and any exemption from the
31 requirement to complete the medicolegal training academy. The
32 commission shall exempt from this requirement any coroner, medical
33 examiner, or medicolegal investigative personnel who has obtained
34 training comparable to the medicolegal training academy by virtue of
35 educational or professional training or experience.

36 (3) The commission must certify successful completion of the
37 medicolegal training academy or exemption from the medicolegal
38 training academy within 60 days from the receipt of proof of
39 completion or request for exemption.

1 (4) The medicolegal forensic investigation training required
2 under this section must:

3 (a) Meet the recommendations of the national commission on
4 forensic science for certification and accreditation; and

5 (b) Satisfy the requirements for training on the subject of
6 sudden, unexplained child death including, but not limited to, sudden
7 infant death syndrome developed pursuant to RCW 43.103.100 and
8 missing persons protocols pursuant to RCW 43.103.110.

9 (5) Certification under this section is a condition of continued
10 employment in a coroner's or medical examiner's office.

11 (6) A coroner's or medical examiner's office in which a coroner,
12 person serving as coroner, medical examiner, or other medicolegal
13 investigative employee, who has not otherwise been exempted by the
14 commission, is not certified within 12 months of being elected,
15 appointed, or employed as required by this section, is not eligible
16 for reimbursement from the death investigations account under RCW
17 68.50.104 until the office is in compliance with all requirements
18 under this section.

19 **Sec. 4.** RCW 36.16.030 and 2015 c 53 s 61 are each amended to
20 read as follows:

21 Except as provided elsewhere in this section, in every county
22 there shall be elected from among the qualified voters of the county
23 a county assessor, a county auditor, a county clerk, a county
24 coroner, three county commissioners, a county prosecuting attorney, a
25 county sheriff, and a county treasurer (~~(, except that in each county~~
26 ~~with a population of less than forty thousand no coroner shall be~~
27 ~~elected and the prosecuting attorney shall be ex officio coroner.~~
28 ~~Whenever the population of a county increases to forty thousand or~~
29 ~~more, the prosecuting attorney shall continue as ex officio coroner~~
30 ~~until a coroner is elected, at the next general election at which the~~
31 ~~office of prosecuting attorney normally would be elected, and assumes~~
32 ~~office as provided in RCW 29A.60.280. In any county where the~~
33 ~~population has once attained forty thousand people and a current~~
34 ~~coroner is in office and a subsequent census indicates less than~~
35 ~~forty thousand people, the county legislative authority may maintain~~
36 ~~the office of coroner by resolution or ordinance. If the county~~
37 ~~legislative authority has not passed a resolution or enacted an~~
38 ~~ordinance to maintain the office of coroner, the elected coroner~~
39 ~~shall remain in office for the remainder of the term for which he or~~

1 ~~she was elected, but no coroner shall be elected at the next election~~
2 ~~at which that office would otherwise be filled and the prosecuting~~
3 ~~attorney shall be the ex officio coroner)).~~ In a county with a
4 population of two hundred fifty thousand or more, the county
5 legislative authority may replace the office of coroner with a
6 medical examiner system and appoint a medical examiner as specified
7 in RCW 36.24.190. A noncharter county may have five county
8 commissioners as provided in RCW 36.32.010 and 36.32.055 through
9 36.32.0558.

10 **Sec. 5.** RCW 68.50.104 and 2019 c 317 s 4 are each amended to
11 read as follows:

12 (1) The cost of autopsy shall be borne by the county in which the
13 autopsy is performed, except when requested by the department of
14 labor and industries, in which case, the department shall bear the
15 cost of such autopsy.

16 (2) (a) Except as provided in (b) of this subsection, when the
17 county bears the cost of an autopsy, it shall be reimbursed from the
18 death investigations account, established by RCW 43.79.445, as
19 follows:

20 (i) Up to forty percent of the cost of contracting for the
21 services of a pathologist to perform an autopsy;

22 (ii) Up to ~~((twenty-five))~~ 30 percent of the salary of
23 pathologists who are primarily engaged in performing autopsies and
24 are (A) county coroners or county medical examiners, or (B) employees
25 of a county coroner or county medical examiner; and

26 (iii) One hundred percent of the cost of autopsies conducted
27 under RCW 70.54.450.

28 (b) When the county bears the cost of an autopsy of a child under
29 the age of three whose death was sudden and unexplained, the county
30 shall be reimbursed for the expenses of the autopsy when the death
31 scene investigation and the autopsy have been conducted under RCW
32 43.103.100 (4) and (5), and the autopsy has been done at a facility
33 designed for the performance of autopsies.

34 (3) Payments from the account shall be made pursuant to biennial
35 appropriation: PROVIDED, That no county may reduce funds appropriated
36 for this purpose below 1983 budgeted levels.

37 (4) Where the county coroner's office or county medical
38 examiner's office is not accredited pursuant to section 2 of this
39 act, or a coroner, medical examiner, or other medicolegal

1 investigative employee is not certified as required by section 3 of
2 this act, the state treasurer's office shall withhold autopsy
3 reimbursement funds until accreditation under section 2 of this act
4 or compliance with section 3 of this act is achieved.

5 **Sec. 6.** RCW 68.50.010 and 1963 c 178 s 1 are each amended to
6 read as follows:

7 The jurisdiction of bodies of all deceased persons who come to
8 their death suddenly when in apparent good health without medical
9 attendance within the thirty-six hours preceding death; or where the
10 circumstances of death indicate death was caused by unnatural or
11 unlawful means; or where death occurs under suspicious circumstances;
12 or where a coroner's autopsy or postmortem or coroner's inquest is to
13 be held; or where death results from unknown or obscure causes, or
14 where death occurs within one year following an accident; or where
15 the death is caused by any violence whatsoever, or where death
16 results from a known or suspected abortion; whether self-induced or
17 otherwise; where death apparently results from drowning, hanging,
18 burns, electrocution, gunshot wounds, stabs or cuts, lightning,
19 starvation, radiation, exposure, alcoholism, narcotics or other
20 addictions, tetanus, strangulations, suffocation or smothering; or
21 where death is due to premature birth or still birth; or where death
22 is due to a violent contagious disease or suspected contagious
23 disease which may be a public health hazard; or where death results
24 from alleged rape, carnal knowledge or sodomy, where death occurs in
25 a jail or prison; where a body is found dead or is not claimed by
26 relatives or friends, is hereby vested in the county coroner or
27 medical examiner, which bodies may be removed and placed in the
28 morgue under such rules as are adopted by the coroner or medical
29 examiner with the approval of the county commissioners, having
30 jurisdiction, providing therein how the bodies shall be brought to
31 and cared for at the morgue and held for the proper identification
32 where necessary.

33 NEW SECTION. **Sec. 7.** Section 4 of this act takes effect January
34 1, 2025.

--- END ---