
HOUSE BILL 1326

State of Washington

67th Legislature

2021 Regular Session

By Representatives Lekanoff, Goodman, Ramel, Orwall, Klippert, Bateman, Lovick, and Pollet

Read first time 01/20/21. Referred to Committee on Local Government.

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.

32 (3) The commission must certify successful completion of the
33 medicolegal training academy or exemption from the medicolegal
34 training academy within 60 days from the receipt of proof of
35 completion or request for exemption.

36 (4) The medicolegal forensic investigation training required
37 under this section must:

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

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

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

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

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

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

1 legislative authority may replace the office of coroner with a
2 medical examiner system and appoint a medical examiner as specified
3 in RCW 36.24.190. A noncharter county may have five county
4 commissioners as provided in RCW 36.32.010 and 36.32.055 through
5 36.32.0558.

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

8 (1) The cost of autopsy shall be borne by the county in which the
9 autopsy is performed, except when requested by the department of
10 labor and industries, in which case, the department shall bear the
11 cost of such autopsy.

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

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

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

22 (iii) One hundred percent of the cost of autopsies conducted
23 under RCW 70.54.450.

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

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

33 (4) Where the county coroner's office or county medical
34 examiner's office is not accredited pursuant to section 2 of this
35 act, or a coroner, medical examiner, or other medicolegal
36 investigative employee is not certified as required by section 3 of
37 this act, the state treasurer's office shall withhold autopsy
38 reimbursement funds until accreditation under section 2 of this act
39 or compliance with section 3 of this act is achieved.

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

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

29 NEW SECTION. **Sec. 7.** Section 4 of this act takes effect January
30 1, 2025.

--- END ---