



Senate

General Assembly

File No. 14

February Session, 2002

Substitute Senate Bill No. 216

Senate, March 8, 2002

The Committee on Public Health reported through SEN. HARP of the 10th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING ACCESS TO AUTOPSY RECORDS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 19a-411 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2002*):

3 The Office of the Chief Medical Examiner shall keep full and
4 complete records properly indexed, giving the name, if known, of
5 every person whose death is investigated, the place where the body
6 was found, the date, cause and manner of death and containing all
7 other relevant information concerning the death and a copy of the
8 death certificate. The full report and detailed findings of the autopsy
9 and toxicological and other scientific investigation, if any, shall be a
10 part of the record in each case. The office shall promptly notify the
11 state's attorney having jurisdiction of such death and deliver to him
12 copies of all pertinent records relating to every death in which further
13 investigation may be advisable. Any state's attorney, chief of police or
14 other law enforcement official may, upon request, secure copies of

15 such records or other information deemed necessary by him to the
 16 performance of his official duties. The report of examinations
 17 conducted by the Chief Medical Examiner, Deputy Chief Medical
 18 Examiner, an associate medical examiner or an authorized assistant
 19 medical examiner, and of the autopsy and other scientific findings may
 20 be made available to the public only through the Office of the Chief
 21 Medical Examiner and in accordance with section 1-210, as amended,
 22 and the regulations of the commission. Any person may obtain copies
 23 of such records upon such conditions and payment of such fees as may
 24 be prescribed by the commission, provided no person with a legitimate
 25 interest therein, including an executor, administrator or other legal
 26 representative of the estate of the decedent, shall be denied access to
 27 such records. Upon application by the Chief Medical Examiner or
 28 state's attorney to the superior court for the judicial district in which
 29 the death occurred, or to any judge of the superior court in such
 30 judicial district when said court is not then sitting, said court or such
 31 judge may limit such disclosure to the extent that there is a showing by
 32 the Chief Medical Examiner or state's attorney of compelling public
 33 interest against disclosure of any particular document or documents.
 34 Public authorities, professional, medical, legal or scientific bodies or
 35 universities or similar research bodies may, in the discretion of the
 36 commission, have access to all records upon such conditions and
 37 payment of such fees as may be prescribed by the commission. Where
 38 such information is made available for scientific or research purposes,
 39 such conditions shall include a requirement that the identity of the
 40 deceased persons shall remain confidential and shall not be published.

This act shall take effect as follows:	
Section 1	October 1, 2002

PH *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

This bill makes changes to statute that are consistent with current practice of the Office of the Chief Medical Examiner regarding access to autopsy records and therefore its passage will result in no fiscal impact.

OLR Bill Analysis

sSB 216

AN ACT CONCERNING ACCESS TO AUTOPSY RECORDS**SUMMARY:**

This bill specifies that an executor, administrator, or other legal representative of a decedent's estate cannot be denied access to Chief Medical Examiner's Office records on the decedent's death, including examinations, autopsy reports, and scientific findings. The bill gives these individuals "a legitimate interest" in these records. The law already prohibits denying people with a legitimate interest access to these records.

Under current Commission on Medicolegal Investigations regulations, the complete records of all Chief Medical Examiner Office investigations are made available to (1) the deceased's family; (2) any federal, state, or local government agency or public health authority investigating the death; (3) insurance companies with a legitimate interest in the death; (4) all parties in civil proceedings; and (5) treating physicians. Records may also be made available to any other individual with the family's written consent or by court order. Legitimate scientific research organizations may also have access provided they do not publicly identify the decedent.

EFFECTIVE DATE: October 1, 2002

COMMITTEE ACTION

Public Health Committee

Joint Favorable Substitute

Yea 21 Nay 0