



House of Representatives

General Assembly

File No. 330

January Session, 2005

Substitute House Bill No. 6575

House of Representatives, April 13, 2005

The Committee on Public Health reported through REP. SAYERS of the 60th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING INVESTIGATIONS OF DEATHS IN NURSING HOME FACILITIES BY THE OFFICE OF THE CHIEF MEDICAL EXAMINER.

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

1 Section 1. Subsection (a) of section 19a-406 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2005*):

4 (a) The Chief Medical Examiner shall investigate all human deaths
5 in the following categories: (1) Violent deaths, whether apparently
6 homicidal, suicidal or accidental, including but not limited to deaths
7 due to thermal, chemical, electrical or radiational injury and deaths
8 due to criminal abortion, whether apparently self-induced or not; (2)
9 sudden or unexpected deaths not caused by readily recognizable
10 disease; (3) deaths under suspicious circumstances; (4) deaths of
11 persons whose bodies are to be cremated, buried at sea or otherwise
12 disposed of so as to be thereafter unavailable for examination; (5)

13 deaths related to disease resulting from employment or to accident
14 while employed; (6) deaths related to disease which might constitute a
15 threat to public health; and (7) deaths of patients in nursing home
16 facilities, as defined in section 19a-521, that appear to have been caused
17 by abuse or neglect. The Chief Medical Examiner may require
18 autopsies in connection with deaths in the preceding categories when
19 it appears warranted for proper investigation and, in the opinion of the
20 Chief Medical Examiner, the Deputy Chief Medical Examiner, an
21 associate medical examiner or an authorized assistant medical
22 examiner, an autopsy is necessary. The autopsy shall be performed at
23 the Office of the Chief Medical Examiner or by a designated
24 pathologist at a community hospital. Where indicated, the autopsy
25 shall include toxicologic, histologic, microbiologic and serologic
26 examinations. If a medical examiner has reason to suspect that a
27 homicide has been committed, the autopsy shall be performed at the
28 Office of the Chief Medical Examiner or by a designated pathologist in
29 the presence of at least one other designated pathologist if such other
30 pathologist is immediately available. A detailed description of the
31 findings of all autopsies shall be written or dictated during their
32 progress. The findings of the investigation at the scene of death, the
33 autopsy and any toxicologic, histologic, serologic and microbiologic
34 examinations and the conclusions drawn therefrom shall be filed in the
35 Office of the Chief Medical Examiner.

36 Sec. 2. Subsection (a) of section 19a-407 of the general statutes is
37 repealed and the following is substituted in lieu thereof (*Effective*
38 *October 1, 2005*):

39 (a) All law enforcement officers, state's attorneys, prosecuting
40 attorneys, other officials, physicians, funeral directors, embalmers,
41 persons required to report or cause a report to be made pursuant to
42 section 17b-407 or 17b-451 and other persons shall promptly notify the
43 Office of the Chief Medical Examiner of any death coming to their
44 attention which is subject to investigation by the Chief Medical
45 Examiner under this chapter, shall assist in making dead bodies and
46 related evidence available to that office for investigations and

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:

Agency Affected	Fund-Effect	FY 06 \$	FY 07 \$
Office of the Chief Medical Examiner	GF - None	None	None

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill is not anticipated to result in a cost to the Office of the Chief Medical Examiner. The number of autopsies performed or in-depth investigations done is not anticipated to increase, as those cases should have been reported under current law. A minimal increase in the volume of in-coming calls may result but it is anticipated to be handled within existing resources.

OLR Bill Analysis

sHB 6575

AN ACT CONCERNING INVESTIGATIONS OF DEATHS IN NURSING HOME FACILITIES BY THE OFFICE OF THE CHIEF MEDICAL EXAMINER**SUMMARY:**

This bill requires the state's chief medical examiner to investigate deaths of residents in nursing homes and residential care homes that appear to have been caused by abuse or neglect. It requires mandated elder abuse reporters to promptly notify the Office of the Chief Medical Examiner of any deaths subject to his investigation. (He currently must investigate and can order autopsies for violent deaths; sudden, unexpected, or suspicious deaths; and deaths in several other categories in any setting.)

Mandated elder abuse reporters include physicians, nurses, medical examiners, nurse's aides, other people providing long-term care, certain other medical professionals, social workers, clergymen, police officers, and certain other professions. They are required by law to report suspected cases of elder abuse, neglect, or exploitation to the Department of Social Services.

EFFECTIVE DATE: October 1, 2005

COMMITTEE ACTION

Select Committee on Aging

Joint Favorable Substitute Change of Reference

Yea 13 Nay 0

Public Health Committee

Joint Favorable Report

Yea 24 Nay 0