

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

HOUSE BILL 3184

By: Patzkowsky

AS INTRODUCED

An Act relating to medicolegal investigations; amending 63 O.S. 2021, Section 940, as amended by Section 1, Chapter 176, O.S.L. 2022 (63 O.S. Supp. 2023, Section 940), which relates to the cooperation of state and county officials with State Medical Examiner; permitting the relocation of certain bodies and vehicles for rural counties by state trooper; requiring certain access; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 63 O.S. 2021, Section 940, as amended by Section 1, Chapter 176, O.S.L. 2022 (63 O.S. Supp. 2023, Section 940), is amended to read as follows:

Section 940. A. All law enforcement officers and other state and county officials shall cooperate with the Chief Medical Examiner and all other medical examiners in making investigations required pursuant to the provisions of Sections 931 through 954 of this title. The officials and the physician in attendance of the deceased, or other persons when the deceased was unattended by a physician, shall promptly notify the medical examiner of the

1 occurrence of all deaths coming to their attention which, pursuant
2 to the provisions of Sections 931 through 954 of this title, are
3 subject to investigation, and shall assist in making dead bodies and
4 related evidence available for investigation.

5 Subject to the provisions of Sections 931 through 954 of this
6 title, bodies shall not be disturbed until authorized by the Chief
7 Medical Examiner or his or her designee and the representative of
8 any law enforcement agency which has begun an investigation of the
9 cause of death except as provided for in Subsection C. The
10 authorization may be given by telephone. Nothing in Sections 931
11 through 954 of this title shall prevent the district attorney, or
12 his or her designee, or the responding law enforcement officer from
13 authorizing the removal of a body when the removal is determined to
14 be in the public interest and conditions at the scene are adequately
15 documented and preserved by photographs and measurements.

16 B. The death of any patient, inmate, ward, or veteran in a
17 state hospital or other institution shall be reported by the chief
18 administrative officer of the hospital or institution or his or her
19 designee to the Office of the Chief Medical Examiner at the time of
20 the death and prior to release of the body.

21 1. Within thirty-six (36) hours, a written report shall be
22 submitted and shall be accompanied by true and correct copies of all
23 medical records of the hospital or institution concerning the
24 deceased patient.

1 2. The Chief Medical Examiner shall have the authority to
2 require production of any records, documents, or equipment or other
3 items regarding the deceased patient deemed necessary to investigate
4 the death.

5 C. State Troopers in a county with a population of less than
6 seventy-five thousand (75,000) may relocate the body of a deceased
7 if, after investigating and documenting the scene and with a
8 concurring opinion of a local medical professional, the death is
9 determined to be accidental. The Medical Examiner or their designee
10 shall have access to any relocated bodies and relevant requested
11 evidence. The term "local medical professional" shall mean a
12 licensed doctor or nurse who resides in the county or immediate
13 surrounding area.

14 SECTION 2. This act shall become effective November 1, 2024.

16 59-2-8993 MJ 01/11/24