

ALASKA STATE LEGISLATURE

Representative Bob Herron

Official Business



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House Bill 301 – Autopsies and Death Certificates

“An Act relating to duties and procedures of the state medical examiner and the Department of Health and Social Services; and relating to death certificates.”

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SECTIONAL SUMMARY

Section 1 amends AS 12.65.025 (a) (2) to reinforce the State Medical Examiner’s (ME’s) current ability to ship remains to the deceased’s family in cases where the place of death is not the decedent or family’s home, up to the cost equivalent of shipment to the place of death. *This family-friendly change allows the Department of Health and Social Services (DHSS) to focus solely on the cost of required transport, paying toward the shipment only up to the cost of transport to the place of death, even though the body is being shipped to the family’s actual location. The family would then pay any difference in cost. This would never increase DHSS costs; in some cases it would reduce costs, while also being more responsive to the needs of grieving families.*

Amends AS 12.65.025 (a) (3) to require the ME to cover the cost of embalming remains when required for transport by a commercial carrier. *In some rare instances, depending upon a body’s condition, air carriers have told families that they require embalming prior to accepting the body for shipment. This change would ensure families do not get caught between airline requirements and the State’s limitation of embalming only when legally required. Families generally do not ask for their loved ones remains to be shipped to the ME’s office; they should not suffer the financial consequences if embalming is later required for return shipment.*

Section 2 adds new requirements to existing AS 12.65.025.

New (f) requires the ME’s office to utilize existing technology readily available in many rural health facilities. The Alaska Tribal Health System (ATHS) has made substantial investments in quality telemedicine technology that could be used for the benefit of locals and DHSS. *Through organizational Memoranda of Understanding or Agreement,*

DHSS and ATHS organizations could partner to allow the ME to perform some preliminary distance examinations at a village clinic or larger regional hub facility prior to determining whether or not the body must be brought into Anchorage for further evaluation. Each case that could be closed without shipping the body into Anchorage represents money saved for the State, stress minimized for grieving families.

New (g) outlines standards of fair written communication between the ME's office and surviving family members. *This will help to ensure fair and accurate information enables families to make informed choices that align with their cultures and their budgets.*

New (h) adds a good current practice to statute. *Currently, when the ME's office knows a body will be transported via air back to a rural region, staff will chill the body prior to transport. This is current practice for good reason – air transport takes time and, depending upon the season, chilling is absolutely necessary for humane transport of human remains to a family.*

Sections 3, 4, and 5 amend current AS 18.50 to facilitate the declaration of death and issuance of a death certificate in-region for cases in which transport to the ME's office is deemed unnecessary. *For many rural Alaska families, issuance of a death certificate is a time-critical process that sets in motion State funeral assistance and other relief for families receiving state aid. These sections would allow regional officials (to be detailed by DHSS through regulation) in the deceased's home region to help with this process. The intent here is not to create a large volume of extra work for regional leaders or to take necessary control away from the State, but to provide a more friendly business process for grieving families. It would likely also lessen the financial burden on regional organizations that have traditionally donated funds to help families cover unanticipated and unnecessary funeral home expenses.*

Section 6 adds to existing AS 18.50.280 a new subsection (e), memorializing in statute the ME's current practice of obtaining the Burial Transit Permit for remains they will send directly back to the family. *This addition will ensure current good practice continues; grieving families should never be expected to navigate this piece of the process on their own.*