

**HOUSE BILL NO. 301**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE HERRON

Introduced: 2/7/14

Referred: Health and Social Services

**A BILL**

**FOR AN ACT ENTITLED**

1   **"An Act relating to duties and procedures of the state medical examiner and the**  
2   **Department of Health and Social Services; and relating to death certificates."**

3   **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4    \* **Section 1.** AS 12.65.025(a) is amended to read:

5                   (a) The state medical examiner shall designate the facilities at which post  
6                   mortem examinations and autopsies ordered under this chapter may be performed  
7                   **consistent with this section.** The Department of Health and Social Services shall pay  
8                   the costs of

9                               (1) post mortem examinations and autopsies ordered under this  
10                   chapter;

11                           (2) related transportation to the location where the post mortem  
12                   examination is conducted and then to the community closest to where the death  
13                   occurred, except that transportation costs to another requested location **shall** [MAY]  
14                   be paid to the extent that the costs do not exceed the costs **that would otherwise have**

1 **been paid by the department for** [OF] returning the body to the community closest  
 2 to where the death occurred;

3 (3) embalming required by law **or by a policy of the transporting**  
 4 **entity**; and

5 (4) cosmetology necessary to make the head, face, neck, and hands of  
 6 the deceased presentable if those parts of the body are disfigured by the post mortem  
 7 examination.

8 \* **Sec. 2.** AS 12.65.025 is amended by adding new subsections to read:

9 (f) The state medical examiner shall designate a location for conducting a post  
 10 mortem examination that is in the community closest to where the death occurred if

11 (1) a facility with adequate technology and personnel is available at the  
 12 location to enable the state medical examiner to direct a remote examination; and

13 (2) the cost of conducting the examination in the community closest to  
 14 where the death occurred is less than the cost of conducting the examination or  
 15 autopsy at another location, including the cost of transporting the body to and from  
 16 another location to conduct the examination.

17 (g) The Department of Health and Social Services shall provide to a person  
 18 responsible for the burial of a body written notice describing the duties and procedures  
 19 of the state medical examiner and the department under this chapter; the notice must  
 20 explain, in a form and language that is designed to be easy to understand, the  
 21 availability of

22 (1) an option to release the body after examination and autopsy to a  
 23 location other than a mortuary without a recommendation or stated preference to do  
 24 otherwise;

25 (2) the department's coverage of costs associated with the examination  
 26 or autopsy, transportation of the body, and necessary cosmetology as provided under  
 27 (a) of this section;

28 (3) clothing and a casket required under (b) of this section;

29 (4) transportation to a location other than the location where the death  
 30 occurred;

31 (5) a burial-transit permit as provided under AS 18.50.250; and

1 (6) a death certificate as provided under AS 18.50.230;

2 (h) When a body must be transported by air, the department shall provide for  
3 temperature and other controls available to maintain the body.

4 \* **Sec. 3.** AS 18.50.230(b) is amended to read:

5 (b) **Except as provided in (g) of this section, the** [THE] funeral director or  
6 person acting as the funeral director who first assumes custody of a dead body shall  
7 file the death certificate. The funeral director or the person acting as the funeral  
8 director shall obtain the personal data from the next of kin or the best qualified person  
9 or source available and the medical certification of cause of death from the person  
10 responsible for this information.

11 \* **Sec. 4.** AS 18.50.230 is amended by adding a new subsection to read:

12 (g) If a funeral director or person acting as a funeral director is not available in  
13 the community in which the person has died, a person designated by the state registrar  
14 who is a member of the deceased person's community shall file the death certificate  
15 according to procedures established in this section and regulations adopted for the  
16 purpose. The designated community member shall obtain the personal data from the  
17 next of kin or the best qualified person or source available and the medical  
18 certification of cause of death from the person responsible for this information.

19 \* **Sec. 5.** AS 18.50.250(a) is amended to read:

20 (a) **Except as provided in (e) of this section, the** [THE] funeral director or  
21 person acting as the funeral director who first assumes custody of a dead body or fetus  
22 shall obtain a burial-transit permit before final disposition or removal from the state of  
23 the body or fetus and within 72 hours after death, except as otherwise authorized by  
24 regulation for special problem cases.

25 \* **Sec. 6.** AS 18.50.280 is amended by adding a new subsection to read:

26 (e) The state medical examiner shall obtain the burial-transit permit before a  
27 body is transported under AS 12.65.025(a)(2).