

CS FOR HOUSE BILL NO. 301(HSS)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - SECOND SESSION

BY THE HOUSE HEALTH AND SOCIAL SERVICES COMMITTEE

Offered: 3/12/14

Referred: Rules

Sponsor(s): REPRESENTATIVES HERRON, Edgmon

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."**

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, **if embalming is** required by law; and

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

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

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

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

13 (2) the facility meets applicable standards, including inspection and
14 accreditation, for conducting remote post mortem examinations established in the
15 Forensic Autopsy Performance Standards by the National Association of Medical
16 Examiners; and

17 (3) the cost of conducting the examination in the community closest to
18 where the death occurred is less than the cost of conducting the examination or
19 autopsy at another location, including the cost of transporting the body to and from
20 another location to conduct the examination.

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

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

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

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

(4) transportation to the community closest to where the death occurred or to another location;

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

(6) a death certificate as provided under AS 18.50.230.

* **Sec. 3.** AS 18.50.250(a) is amended to read:

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

* **Sec. 4.** AS 18.50.280 is amended by adding a new subsection to read:

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