

SENATE BILL NO. 145

IN THE LEGISLATURE OF THE STATE OF ALASKA

EIGHTEENTH LEGISLATURE - FIRST SESSION

BY THE SENATE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

Introduced: 3/3/93  
Referred: STA, HES, JUD

A BILL

FOR AN ACT ENTITLED

1 "An Act establishing the position of state medical examiner; and relating to  
2 preparation of death certificates."

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

4 \* Section 1. AS 12.65 is amended by adding a new section to read:

5 Sec. 12.65.015. STATE MEDICAL EXAMINER. (a) In addition to  
6 appointing medical examiners under AS 12.65.010, the commissioner of health and  
7 social services shall establish in the Department of Health and Social Services the  
8 position of state medical examiner. The state medical examiner is in the exempt  
9 service under AS 39.25.110.

10 (b) The state medical examiner must be a physician licensed to practice in the  
11 state.

12 (c) The state medical examiner shall perform the duties assigned under  
13 AS 12.65.020 and regulations implementing that section and other duties as assigned  
14 by the commissioner of health and social services.

1 \* Sec. 2. AS 12.65.020 is amended to read:

2           Sec. 12.65.020. [CORONER'S POWER TO ORDER] EXAMINATIONS BY  
3           STATE MEDICAL EXAMINER AND INQUESTS BY CORONER. (a) When a  
4           person dies unattended by a physician, or when no physician is prepared to execute the  
5           certificate of death prescribed by AS 18.50 (Vital Statistics Act), the coroner assigned  
6           to serve the place where the death occurs may, under regulations of the Department  
7           of Health and Social Services, request the state [, BY WRITTEN ORDER, DIRECT  
8           A] medical examiner to view the remains of the deceased person, [AND TO] perform  
9           the post mortem examination, including an autopsy, or take other actions that are  
10          appropriate under the circumstances [NECESSARY] to make a proper determination  
11          of the cause of death and to execute the prescribed death certificate. When the state  
12          medical examiner has completed the examination, the examiner shall, without delay,  
13          complete, certify, and sign the death certificate and submit a report of the  
14          examiner's findings and conclusions to the coroner.

15                 (b) The coroner may order an inquest under this chapter if the findings and  
16                 conclusions of the state medical examiner, together with other information available  
17                 to the coroner, warrant the inquest. Otherwise the coroner shall enter an order  
18                 dispensing with the inquest and shall record the certificate of death as prescribed by  
19                 law.

20 \* Sec. 3. AS 12.65.020 is amended by adding a new subsection to read:

21                 (c) The Department of Health and Social Services shall adopt regulations to  
22                 implement (a) of this section after consultation with the Department of Public Safety  
23                 and the Alaska Court System.

24 \* Sec. 4. AS 39.25.110(13) is amended to read:

25                 (13) the state medical examiner appointed under AS 12.65.015 and  
26                 physicians licensed to practice in this state and employed by the division of mental  
27                 health and developmental disabilities in the Department of Health and Social Services  
28                 or by the Department of Corrections;