

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 HOUSE BILL 1849

By: Blackwell

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6 AS INTRODUCED

7 An Act relating to public safety; amending 63 O.S.
8 2001, Section 940, which relates to investigations of
9 death; requiring the Chief Medical Examiner or
designee to promptly investigate deaths; and
providing an effective date.

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

13 SECTION 1. AMENDATORY 63 O.S. 2001, Section 940, is
14 amended to read as follows:

15 Section 940. A. All law enforcement officers and other state
16 and county officials shall cooperate with the Chief Medical Examiner
17 and all other medical examiners in making investigations required
18 pursuant to the provisions of Sections 931 through 954 of this
19 title. Said officials and the physician in attendance of the
20 deceased, or other persons when the deceased was unattended by a
21 physician, shall promptly notify the medical examiner of the
22 occurrence of all deaths coming to their attention which, pursuant
23 to the provisions of Sections 931 through 954 of this title, are
24 subject to investigation, and shall assist in making dead bodies and

1 related evidence available for investigation. The Chief Medical
2 Examiner, or designee, shall promptly investigate the death.

3 The scene of a death subject to the provisions of Sections 931
4 through 954 of this title shall not be disturbed until authorized by
5 the Chief Medical Examiner, ~~his~~ a designee, or a county medical
6 examiner, and the representative of any law enforcement agency which
7 has begun an investigation of the cause of death. Said
8 authorization may be given by telephone. Nothing in Sections 931
9 through 954 of this title shall prevent the district attorney or ~~his~~
10 a designee from authorizing the removal of a body when the removal
11 is determined by him to be in the public interest and conditions at
12 the scene are adequately documented and preserved by photographs and
13 measurements.

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

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

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

SECTION 2. This act shall become effective November 1, 2011.

53-1-5486 AM 01/18/11