

STATE OF OKLAHOMA

2nd Session of the 58th Legislature (2022)

COMMITTEE SUBSTITUTE
FOR

SENATE BILL 1123

By: Burns

COMMITTEE SUBSTITUTE

An Act relating to medicolegal investigations;
amending 63 O.S. 2021, Section 940, which relates to
notification of deaths; modifying inclusions of
certain authorization; permitting certain transport;
requiring certain notification; requiring maintenance
of certain list; updating statutory language; and
providing an effective date.

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

SECTION 1. AMENDATORY 63 O.S. 2021, Section 940, is
amended to read as follows:

Section 940. A. All law enforcement officers, funeral home
services, and other state and county officials shall cooperate with
the Chief Medical Examiner and all other medical examiners in making
investigations required pursuant to the provisions of Sections 931
through 954 of this title. ~~Said~~ The officials and the physician in
attendance of the deceased, or other persons when the deceased was
unattended by a physician, shall promptly notify the medical
examiner of the occurrence of all deaths coming to their attention

1 which, pursuant to the provisions of Sections 931 through 954 of
2 this title, are subject to investigation, and shall assist in making
3 dead bodies and related evidence available for investigation.

4 Subject to the provisions of Sections 931 through 954 of this
5 title, bodies shall not be disturbed until authorized by the Chief
6 Medical Examiner or his or her designee and the representative of
7 any law enforcement agency which has begun an investigation of the
8 cause of death. ~~Said~~ The authorization may be given by telephone.
9 Nothing in Sections 931 through 954 of this title shall prevent the
10 district attorney or his or her designee from authorizing the
11 removal of a body when the removal is determined to be in the public
12 interest and conditions at the scene are adequately documented and
13 preserved by photographs and measurements. Nothing in sections 931
14 through 954 of this title shall prevent the funeral home service
15 from transporting a decedent from the scene to their facility once
16 the attending law enforcement officer has adequately documented and
17 preserved the conditions at the scene by photographs and
18 measurements. Once the decedent is transported to a funeral home,
19 the medical examiner shall be notified of the transport location for
20 the purpose of completing the examination required pursuant to
21 paragraph A of this section. Each law enforcement agency shall
22 maintain a current on-call rotation list of funeral homes in the
23 area to call once the decedent has been released for transport.
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1 B. The death of any patient, inmate, ward, or veteran in a
2 state hospital or other institution shall be reported by the chief
3 administrative officer of the hospital or institution or his or her
4 designee to the Office of the Chief Medical Examiner at the time of
5 the death and prior to release of the body.

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

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

14 SECTION 2. This act shall become effective November 1, 2022.

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