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February 28, 2022

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 1123

By: Burns of the Senate

and

West (Rick) of the House

[medicolegal investigations - notification of deaths
- maintenance of certain list - 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 which, pursuant to the provisions of Sections 931 through 954 of

1 this title, are subject to investigation, and shall assist in making
2 dead bodies and related evidence available for investigation.

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

23 B. The death of any patient, inmate, ward, or veteran in a
24 state hospital or other institution shall be reported by the chief

1 administrative officer of the hospital or institution or his or her
2 designee to the Office of the Chief Medical Examiner at the time of
3 the death and prior to release of the body.

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

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

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

13 COMMITTEE REPORT BY: COMMITTEE ON HEALTH AND HUMAN SERVICES
14 February 28, 2022 - DO PASS AS AMENDED
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