

1 STATE OF OKLAHOMA

2 2nd Session of the 58th Legislature (2022)

3 SENATE BILL 1123

By: Burns

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5  
6 AS INTRODUCED

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

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

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

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

1 investigation, and shall assist in making dead bodies and related  
2 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 an emergency medical  
14 technician, if the first respondent at the scene, from transporting  
15 a decedent from the scene to a hospital in proximity of the scene  
16 once the attending law enforcement officer has adequately documented  
17 and preserved the conditions at the scene by photographs and  
18 measurements. Once the decedent is transported to a nearby  
19 hospital, the medical examiner shall be notified of the transport  
20 location for the purpose of completing the examination required  
21 pursuant to paragraph A of this section.

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

1 designee to the Office of the Chief Medical Examiner at the time of  
2 the death and prior to release of the body.

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

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

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

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