

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

COMMITTEE SUBSTITUTE  
FOR

HOUSE BILL NO. 3184

By: Patzkowsky

COMMITTEE SUBSTITUTE

An Act relating to medicolegal investigations;  
amending 63 O.S. 2021, Section 940, as amended by  
Section 1, Chapter 176, O.S.L. 2022 (63 O.S. Supp.  
2023, Section 940), which relates to the cooperation  
of state and county officials with State Medical  
Examiner; permitting the relocation of certain bodies  
and vehicles for rural counties by state trooper;  
requiring certain access; 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, as  
amended by Section 1, Chapter 176, O.S.L. 2022 (63 O.S. Supp. 2023,  
Section 940), is amended to read as follows:

Section 940. A. All law enforcement officers 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. The officials and the physician in attendance of the  
deceased, or other persons when the deceased was unattended by a

1 physician, shall promptly notify the medical examiner of the  
2 occurrence of all deaths coming to their attention which, pursuant  
3 to the provisions of Sections 931 through 954 of this title, are  
4 subject to investigation, and shall assist in making dead bodies and  
5 related evidence available for investigation.

6 Subject to the provisions of Sections 931 through 954 of this  
7 title, bodies shall not be disturbed until authorized by the Chief  
8 Medical Examiner or his or her designee and the representative of  
9 any law enforcement agency which has begun an investigation of the  
10 cause of death except as provided for in subsection C. The  
11 authorization may be given by telephone. Nothing in Sections 931  
12 through 954 of this title shall prevent the district attorney, or  
13 his or her designee, or the responding law enforcement officer from  
14 authorizing the removal of a body when the removal is determined to  
15 be in the public interest and conditions at the scene are adequately  
16 documented and preserved by photographs and measurements.

17 B. The death of any patient, inmate, ward, or veteran in a  
18 state hospital or other institution shall be reported by the chief  
19 administrative officer of the hospital or institution or his or her  
20 designee to the Office of the Chief Medical Examiner at the time of  
21 the death and prior to release of the body.

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

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

7 C. State Troopers in a county with a population of less than  
8 fifty thousand (50,000) may authorize the relocation of the body of  
9 a deceased if, after investigating and documenting the scene and  
10 with a concurring opinion of a local medical professional, the death  
11 is determined to be accidental. The medical examiner or their  
12 designee shall have access to any relocated bodies and relevant  
13 requested evidence. The term "local medical professional" shall  
14 mean a licensed doctor, nurse, or qualified Emergency Medical  
15 Technician personnel who resides in the county or immediate  
16 surrounding area.

17 SECTION 2. This act shall become effective November 1, 2024.

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