

Senate Bill 500

Sponsored by Senator ATKINSON (at the request of Jim Tattersall)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Precludes suspects or persons of interest in death investigation from obtaining certain medical reports, unless disclosure required by law in pending civil or criminal action.

A BILL FOR AN ACT

1
2 Relating to medical examiners; amending ORS 146.035.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 146.035 is amended to read:

5 146.035. (1) There shall be established within the Department of State Police the State Medical
6 Examiner's office for the purpose of directing and supporting the state death investigation program.

7 (2) The State Medical Examiner shall manage all aspects of the State Medical Examiner's pro-
8 gram.

9 (3) Subject to the State Personnel Relations Law, the State Medical Examiner may employ or
10 discharge other personnel of the State Medical Examiner's office.

11 (4) The State Medical Examiner's office shall:

12 (a) File and maintain appropriate reports on all deaths requiring investigation.

13 (b) Maintain an accurate list of all active district medical examiners, assistant district medical
14 examiners and designated pathologists.

15 (c) Transmit monthly to the Department of Transportation a report for the preceding calendar
16 month of all information obtained under ORS 146.113.

17 (5)(a) **Except as provided in subsection (6) of this section**, any parent, spouse, child or per-
18 sonal representative of the deceased, [*or any person who may be criminally or civilly liable for the*
19 *death,*] or their authorized [*representatives respectively*] **representative**, may examine and obtain
20 copies of any medical examiner's report, autopsy report or laboratory test report ordered by a
21 medical examiner under ORS 146.117.

22 (b) The system described in ORS 192.517 (1) shall have access to reports described in this sub-
23 section as provided in ORS 192.517.

24 (6) **A law enforcement agency or district attorney may provide a medical examiner with**
25 **the names of persons who are considered to be suspects or persons of interest in a death**
26 **requiring investigation. Suspects or persons of interest, or their authorized representative,**
27 **may not examine or obtain copies of the reports described in subsection (5) of this section**
28 **unless disclosure is required by law in a pending civil or criminal action.**

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NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.