

Enrolled House Bill 2585

Sponsored by Representatives MCKEOWN, SMITH DB, Senators HEARD, ROBLAN; Representatives GOMBERG, HOLVEY, WILDE, WITT, Senators JOHNSON, MANNING JR (Pre-session filed.)

CHAPTER

AN ACT

Relating to reports of death; amending ORS 146.045.

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

SECTION 1. ORS 146.045 is amended to read:

146.045. (1) After consultation with the State Medical Examiner Advisory Board, the Chief Medical Examiner shall appoint each Deputy State Medical Examiner.

(2) The Chief Medical Examiner shall:

(a) Appoint and discharge each district medical examiner as provided by ORS 146.065 (2).

(b) Designate those pathologists authorized to perform autopsies under ORS 146.117 (2).

(c) Approve those laboratories authorized to perform the analyses required under ORS 146.113

(2).

(3) The Chief Medical Examiner may:

(a) Assume control of a death investigation in cooperation with the district attorney.

(b) Order an autopsy in a death requiring investigation.

(c) Certify the cause and manner of a death requiring investigation.

(d) Amend a previously completed report on a death requiring investigation.

(e) Order a body exhumed in a death requiring investigation.

(f) Designate a Deputy State Medical Examiner as Acting Chief Medical Examiner.

(g) After a reasonable and thorough investigation, complete and file a report of death for a person whose body is not found.

(4) Distribution of moneys from the Chief Medical Examiner's budget for partial reimbursement of each county's autopsy expenditures shall be made subject to approval of the Chief Medical Examiner.

(5) Within 45 days of receipt of information that a person is missing at sea and presumed dead, the Chief Medical Examiner shall determine whether the information is credible and, if so, complete and file a report of death for the person presumed dead. If the information is determined not to be credible, the Chief Medical Examiner may continue the death investigation.

(6)(a) If the Search and Rescue Coordinator and a county sheriff investigate a person missing in the wilderness or a forested environment and determine that the person is believed to be deceased, the sheriff shall send documentation of the investigation and determination to the Chief Medical Examiner.

(b) Within seven days after receiving documentation under paragraph (a) of this subsection, the Chief Medical Examiner shall evaluate the credibility of the investigation and the determination that the person is believed to be deceased.

(c) If the Chief Medical Examiner, based on the evaluation under paragraph (b) of this subsection and the Chief Medical Examiner’s field of expertise, determines that there is no reasonable suspicion that the person is not deceased, the Chief Medical Examiner shall complete and file a report of death for the person believed to be deceased within 45 days after making the determination.

(d)(A) If the Chief Medical Examiner, based on the evaluation under paragraph (b) of this subsection and the Chief Medical Examiner’s field of expertise, determines that there is a reasonable suspicion that the person is not deceased, the Chief Medical Examiner shall report to the sheriff with the basis for the determination and a list of any missing information that would aid the Chief Medical Examiner in evaluating the credibility of the investigation and the determination that the person is believed to be deceased.

(B) Upon receiving a report under subparagraph (A) of this paragraph, the sheriff shall make a reasonable effort to provide the missing information listed by the Chief Medical Examiner.

(C) After issuing a report under this paragraph, the Chief Medical Examiner shall continue the death investigation in conjunction with the sheriff and the Search and Rescue Coordinator until the sheriff issues a final report on the missing person. If, at any time, the Chief Medical Examiner determines, based on the Chief Medical Examiner’s field of expertise, that there is no reasonable suspicion that the person is not deceased, the Chief Medical Examiner shall complete and file a report of death for the person believed to be deceased within 45 days after making the determination.

Passed by House April 2, 2019

Received by Governor:

Repassed by House June 11, 2019

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Approved:

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Timothy G. Sekerak, Chief Clerk of House

.....M.,....., 2019

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Tina Kotek, Speaker of House

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Kate Brown, Governor

Passed by Senate June 6, 2019

Filed in Office of Secretary of State:

.....M.,....., 2019

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Peter Courtney, President of Senate

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Bev Clarno, Secretary of State