

B-Engrossed
House Bill 2585

Ordered by the Senate May 29
Including House Amendments dated March 29 and Senate Amendments
dated May 29

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

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.

[Directs Chief Medical Examiner to complete and file report of death for person within 45 days after receiving report from Search and Rescue Coordinator, in conjunction with county sheriff, that person is missing in wilderness and presumed dead.]

Establishes process for completing and filing report of death for person missing in wilderness or forested environment and believed to be deceased.

A BILL FOR AN ACT

1
2 Relating to reports of death; amending ORS 146.045.

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

4 **SECTION 1.** ORS 146.045 is amended to read:

5 146.045. (1) After consultation with the State Medical Examiner Advisory Board, the Chief
6 Medical Examiner shall appoint each Deputy State Medical Examiner.

7 (2) The Chief Medical Examiner shall:

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

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

10 (c) Approve those laboratories authorized to perform the analyses required under ORS 146.113
11 (2).

12 (3) The Chief Medical Examiner may:

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

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

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

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

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

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

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

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

24 (5) Within 45 days of receipt of information that a person is missing at sea and presumed dead,
25 the Chief Medical Examiner shall determine whether the information is credible and, if so, complete

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.

1 and file a report of death for the person presumed dead. If the information is determined not to be
2 credible, the Chief Medical Examiner may continue the death investigation.

3 **(6)(a) If the Search and Rescue Coordinator and a county sheriff investigate a person**
4 **missing in the wilderness or a forested environment and determine that the person is be-**
5 **lieved to be deceased, the sheriff shall send documentation of the investigation and deter-**
6 **mination to the Chief Medical Examiner.**

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

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

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

21 **(B) Upon receiving a report under subparagraph (A) of this paragraph, the sheriff shall**
22 **make a reasonable effort to provide the missing information listed by the Chief Medical Ex-**
23 **aminer.**

24 **(C) After issuing a report under this paragraph, the Chief Medical Examiner shall con-**
25 **tinue the death investigation in conjunction with the sheriff and the Search and Rescue Co-**
26 **ordinator until the sheriff issues a final report on the missing person. If, at any time, the**
27 **Chief Medical Examiner determines, based on the Chief Medical Examiner's field of expertise,**
28 **that there is no reasonable suspicion that the person is not deceased, the Chief Medical Ex-**
29 **aminer shall complete and file a report of death for the person believed to be deceased within**
30 **45 days after making the determination.**

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