

BY COMMITTEE ON HUMAN RESOURCES

FILED APR 24 1973

Human Resources 1/16/74, Passed 2-754 1/15
H. - Human Resources, 1/23/74, Pass 3/2

Senate File 509
Readinger, Chairman
Butler
Brunow

Passed Senate, Date 1-18-74 Passed House, Date 4-15-74 (1736)

Vote: Ayes 47 Nays 0 Vote: Ayes 91 Nays 0

Approved May 2, 1974

Passed for House amendments 4-19-74 (1455)
44-0

A BILL FOR

- 1 An Act relating to autopsies and postmortem examinations.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 3 Section 1. NEW SECTION. An autopsy or postmortem
- 4 examination may be performed upon the body of a deceased
- 5 person by a physician whenever the written consent to the
- 6 examination or autopsy has been obtained by any of the fol-
- 7 lowing persons, in order of priority stated when persons in
- 8 prior classes are not available at the time of death, and
- 9 in the absence of actual notice of contrary indications by
- 10 the decedent or actual notice of opposition by a member of
- 11 the same or prior class:
- 12 1. The spouse.
- 13 2. An adult son or daughter.
- 14 3. Either parent.
- 15 4. An adult brother or sister.
- 16 5. A guardian of the person of the decedent at the time
- 17 of his death.
- 18 6. Any other person authorized or under obligation to
- 19 dispose of the body.

20 The provisions of this section shall not apply to any
21 death investigated under the authority of sections three
22 hundred thirty-nine point six (339.6) through three hundred
23 thirty-nine point twelve (339.12) of the Code.

EXPLANATION

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25 This bill designates the persons, in order of priority,

1 who may consent to an autopsy or postmortem examination.
 2 This is essentially a reenactment of section 141.35 of
 3 the 1954 and 1966 Codes. Section 141.35 was inadvertently
 4 omitted in 1970 when chapter 141 was repealed and its pro-
 5 visions were integrated with chapter 144, "Vital Statistics".
 6 This bill rewords former section 141.35 in order to con-
 7 form to the similar consent provisions in section 142A.2,
 8 "Uniform Anatomical Gift Act".

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HOUSE AMENDMENT TO SENATE FILE 509

1 Amend Senate File 509 as amended and passed by the Senate
 2 as follows:
 3 Page 1, line 31, after the word "necessary" insert the
 4 words "or, in the case of a death which is not in the public
 5 interest, as defined in section three hundred thirty-nine
 6 point six (339.6) of the Code, if the attending physician
 7 certifies to the county medical examiner that the performance
 8 of the autopsy out of state is proper".

Received from the House
April 17, 1974

Senate concurred 4/19

S-454

1 Amend Senate File 509, page 1, by inserting
 2 the following section after line 23:
 3 Sec. _____. Section three hundred thirty-
 4 nine point thirteen (339.13), Code 1973, unnumbered
 5 paragraph two (2), is amended by adding the following
 6 new sentence:
 7 New Sentence. However, the body of a deceased
 8 person may be sent out of state for the purpose of
 9 an autopsy or postmortem examination if the county
 10 which is charged with performing such functions does
 11 not have adequate facilities available and the
 12 medical examiner certifies in writing that the out-
 13 of-state autopsy or postmortem examination is
 14 necessary.

S-454 Filed
April 25, 1973

adopted as amended
4/18 By SCHWIEGER

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S-2019

1 Amend the Schwieger amendment S-454 filed April 25, 1973
2 to Senate File 509 by striking lines 10 and 11.

S-2019 Filed and adopted
January 18, 1974

By MC CARTNEY

H-2613

1 Amend Senate File 509 as amended and passed by the
2 Senate as follows:
3 Page 1, line 31, after the word "necessary" insert
4 the words "or, in the case of a death which is not in
5 the public interest, as defined in section three hun-
6 dred thirty-nine point six (339.6) of the Code, if the
7 attending physician certifies to the county medical
8 examiner that the performance of the autopsy out of
9 state is proper".

H-2613 Filed - *Adopted 4-15*
March 21, 1974

By READINGER of Polk
HILL of Polk
GRIFFEE of Chickasaw
BUTLER of Pottawattamie
BRUNOW of Appanoose