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## SENATE FILE 354 BY SZYMONIAK

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s.f. 354 H.f.
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Section 1. Section 331.802, subsection 4, Code 1995, is 1 2 amended to read as follows: The county medical examiner shall conduct the 4 investigation in the manner required by the state medical 5 examiner and shall determine whether the public interest 6 requires an autopsy or other special investigation. However, 7 if-the-death-occurred-in-the-manner-specified-in-subsection-37 8 paragraph-"j",-the-county-medical-examiner-shall-order-an 9 autopsy; -the-expense-of-which-shall-be-reimbursed-by-the-Towa 10 department-of-public-health. In determining the need for an 11 autopsy, the county medical examiner may consider the request 12 for an autopsy from a public official or private person, but 13 the state medical examiner or the county attorney of the 14 county where the death occurred may require an autopsy. b. If the death occurred in the manner specified in 16 subsection 3, paragraph "j", the county medical examiner shall 17 order an autopsy, the expense of which shall be reimbursed by 18 the Iowa department of public health. However, an autopsy 19 shall not be performed if the parent, guardian, or custodian 20 of the deceased child is a member of an established religion 21 whose tenets are opposed to the performance of an autopsy on 22 the deceased child and there is no evidence that the deceased 23 child has been physically abused. 24 EXPLANATION This bill provides an exemption to the requirement that 25

26 children under the age of two years who die from an unknown 27 cause or from circumstances indicating sudden infant death 28 syndrome undergo an autopsy. The bill prohibits an autopsy if 29 a parent, guardian, or custodian of the child is a member of 30 an established religion whose beliefs are opposed to the 31 autopsy and there is no evidence of physical abuse of the 32 deceased child.

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H-4/4/95 Duman Res. H-4-10-95 Do Pass

S.F. 354

## SENATE FILE 354 BY SZYMONIAK

	BY SZYMONIAK
	(AS AMENDED AND PASSED BY THE SENATE APRIL 3, 1995)
	- New Language by the Senate
	Passed Senate, Date Passed House, Date
	Nays Nays Vote: Ayes Nays
	Approved
	A BILL FOR
1	An Act relating to autopsies of certain children under the age of
2	two years.
3	BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4	THE STATE OF TOWA:
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 2 amended to read as follows:
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 4 investigation in the manner required by the state medical
 5 examiner and shall determine whether the public interest
 6 requires an autopsy or other special investigation. However,
 7 if-the-death-occurred-in-the-manner-specified-in-subsection-37
 8 paragraph-"j",-the-county-medical-examiner-shall-order-an
 9 autopsy7-the-expense-of-which-shall-be-reimbursed-by-the-Towa
10 department-of-public-health. In determining the need for an
11 autopsy, the county medical examiner may consider the request
12 for an autopsy from a public official or private person, but
13 the state medical examiner or the county attorney of the
14 county where the death occurred may require an autopsy.
15
      b. If the death occurred in the manner specified in
16 subsection 3, paragraph "j", the county medical examiner shall
17 order an autopsy, the expense of which shall be reimbursed by
18 the Iowa department of public health. However, an autopsy
19 shall not be performed if the parent, guardian, or custodian
20 of the deceased child is a member of an established religion
21 whose tenets are opposed to the performance of an autopsy on
22 the deceased child and there is no evidence that the deceased
23 child has been physically abused.
      In those death investigations where religious objections
24
25 are raised, the medical examiner shall still assume
26 jurisdiction and perform noninvasive investigative procedures
27 upon the body of the child, including but not limited to the
              total body X-rays; photography, including
28 following:
29 ultraviolet and infrared, if appropriate; and venipuncture
30 with drawing of blood for toxicological examinations.
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