

3-16-95 Human Resource
3-16-95 Do Pass

FILED MAR 15 1995

Reprinted

SENATE FILE 354
BY SZYMONIAK

Passed Senate, Date ^(P.1015) 4/3/95 Passed House, Date _____
Vote: Ayes 49 Nays 0 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:

SENATE FILE 354

S-3286

1 Amend Senate File 354 as follows:

2 1. Page 1, by inserting after line 23 the
3 following:

4 "In those death investigations where religious
5 objections are raised, the medical examiner shall
6 still assume jurisdiction and perform noninvasive
7 investigative procedures upon the body of the child,
8 including but not limited to the following: total
9 body X-rays; photography, including ultraviolet and
10 infrared, if appropriate; and venipuncture with
11 drawing of blood for toxicological examinations."

By STEVEN D. HANSEN

S-3286 FILED MARCH 29, 1995
ADOPTED 4-3-95 (P.1014)

S.F. 354

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1 Section 1. Section 331.802, subsection 4, Code 1995, is
2 amended to read as follows:

3 4. a. 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 3,~~
8 ~~paragraph "j", the county medical examiner shall order an~~
9 ~~autopsy, the expense of which shall be reimbursed by the Iowa~~
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.

24 EXPLANATION

25 This bill provides an exemption to the requirement that
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 Human Res.
H. 4-10-95 Do Pass

SENATE FILE **354**
BY SZYMONIAK

(AS AMENDED AND PASSED BY THE SENATE APRIL 3, 1995)
_____ - New Language by the Senate

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

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