

House File 2470 - Introduced

HOUSE FILE _____
BY JACOBY

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

A BILL FOR

1 An Act relating to county medical examiner fees for an inmate
2 death and investigations of deaths that affect the public
3 interest.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 6204HH 82
6 jm/nh/5

PAG LIN

1 1 Section 1. Section 331.802, subsection 2, Code 2007, is
1 2 amended to read as follows:
1 3 2. a. If a person's death affects the public interest,
1 4 the county medical examiner shall conduct a preliminary
1 5 investigation of the cause and manner of death, prepare a
1 6 written report of the findings, promptly submit the full
1 7 report to the state medical examiner on forms prescribed for
1 8 that purpose, and submit a copy of the report to the county
1 9 attorney. For each preliminary investigation and the
1 10 preparation and submission of the required reports, the county
1 11 medical examiner shall receive from the county of appointment
1 12 a fee determined by the board plus the examiner's actual
1 13 expenses. The fee and expenses paid by the county of
1 14 appointment shall be reimbursed to the county of appointment
1 15 by the county of the person's residence. However, if the
1 16 person's death is caused by a defendant for whom a judgment of
1 17 conviction and sentence is rendered under section 707.2,
1 18 707.3, 707.4, 707.5, or 707.6A, the county of the person's
1 19 residence may recover from the defendant the fee and expenses.
1 20 The fee and expenses of the county medical examiner who
1 21 performs an autopsy or conducts an investigation of a person
1 22 who dies while committed to the custody of the director of the
1 23 department of corrections shall be paid by the department of
1 24 corrections.

1 25 b. The fee and expenses of the county medical examiner who
1 26 performs an autopsy or conducts an investigation of a person
1 27 who dies after being brought into this state for emergency
1 28 medical treatment by or at the direction of an out-of-state
1 29 law enforcement officer or public authority shall be paid by
1 30 the state. A claim for payment shall be filed with the Iowa
1 31 department of public health. If moneys are not appropriated
1 32 to the Iowa department of public health for the payment of
1 33 autopsies under this ~~subsection~~ paragraph, claims for payment
1 34 shall be forwarded to the state appeal board and, if
1 35 authorized by the board, shall be paid out of moneys in the
2 1 general fund of the state not otherwise appropriated.

2 2 Sec. 2. Section 331.802, subsection 3, paragraph e, Code
2 3 2007, is amended to read as follows:

2 4 e. Death that has occurred ~~unexpectedly~~ or from an
2 5 unexplained cause.

EXPLANATION

2 7 This bill relates to county medical examiner fees for an
2 8 inmate death and investigations of deaths that affect the
2 9 public interest.

2 10 The bill provides that the fee and expenses of the county
2 11 medical examiner for an autopsy or investigation of the death
2 12 of an inmate in the custody of the department of corrections
2 13 shall be paid by the department of corrections.

2 14 The bill also strikes a provision classifying an unexpected
2 15 death as a death which affects the public interest. If a
2 16 death is classified as a death that affects the public
2 17 interest then the state or county medical examiner must be
2 18 notified and a preliminary investigation of the death must be
2 19 conducted.

2 20 LSB 6204HH 82
2 21 jm/nh/5