

House File 525 - Introduced

HOUSE FILE 525
BY COMMITTEE ON LOCAL
GOVERNMENT

(SUCCESSOR TO HF 93)

A BILL FOR

1 An Act relating to the examination, transportation, and
2 embalming of dead bodies.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 331.802, subsection 1, Code 2021, is
2 amended to read as follows:

3 1. A person's death ~~which~~ that affects the public interest
4 as specified in [subsection 3](#) shall be reported to the county
5 medical examiner or the state medical examiner by the physician
6 in attendance, any law enforcement officer having knowledge of
7 the death, the ~~embalmer~~ funeral director, or any other person
8 present. The appropriate medical examiner shall notify the
9 city or state law enforcement agency or sheriff and take charge
10 of the body.

11 Sec. 2. Section 331.802, Code 2021, is amended by adding the
12 following new subsection:

13 NEW SUBSECTION. 9. If an autopsy is ordered under this
14 section, the county shall reimburse the funeral director for
15 all costs associated with the transportation of the body to and
16 from the facility performing the autopsy at a rate equivalent
17 to the rate of reimbursement allowed under the standard mileage
18 rate method for computation of business expenses pursuant
19 to the Internal Revenue Code at the time the transportation
20 occurs.

21 Sec. 3. Section 331.805, subsection 2, Code 2021, is amended
22 to read as follows:

23 2. It is unlawful to embalm a body when the ~~embalmer~~
24 funeral director has reason to believe death occurred in
25 a manner specified in [section 331.802, subsection 3](#), when
26 there is evidence sufficient to arouse suspicion of a crime
27 in connection with the cause of death of the deceased, or
28 where it is the duty of a medical examiner to view the body
29 and investigate the death of the deceased person, until the
30 permission of a county medical examiner has been obtained.
31 When feasible, the body shall be released to the funeral
32 director for embalming within twenty-four hours of death.

33 Sec. 4. IMPLEMENTATION OF ACT. Section 25B.2, subsection
34 3, shall not apply to this Act.

35

EXPLANATION

1 The inclusion of this explanation does not constitute agreement with
2 the explanation's substance by the members of the general assembly.

3 This bill relates to the examination, transportation,
4 and embalming of dead bodies. The bill requires a funeral
5 director, as opposed to an embalmer as currently required,
6 to report to the county or state medical examiner a person's
7 death that affects the public interest. The bill prohibits
8 the embalming of a body prior to receiving consent from the
9 county medical examiner if the funeral director, as opposed to
10 an embalmer, has reason to believe the death affects the public
11 interest, when there is sufficient evidence to arouse suspicion
12 of a crime related to the cause of death, or when the medical
13 examiner has a duty to view the body and investigate the death.

14 When an autopsy is ordered under Code section 331.802 due
15 to a death affecting the public interest, the bill requires a
16 county to reimburse a funeral director for all costs associated
17 with transporting the body to and from the facility performing
18 the autopsy at a rate equivalent to the rate of reimbursement
19 allowed under the standard mileage rate method for computation
20 of business expenses pursuant to the Internal Revenue Code at
21 the time the transportation occurs.

22 The bill may include a state mandate as defined in Code
23 section 25B.3. The bill makes inapplicable Code section 25B.2,
24 subsection 3, which would relieve a political subdivision from
25 complying with a state mandate if funding for the cost of
26 the state mandate is not provided or specified. Therefore,
27 political subdivisions are required to comply with any state
28 mandate included in the bill.