~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

April 26, 2011

**H. 3750**

Introduced by Reps. Viers and Vick

S. Printed 4/26/11--H.

Read the first time February 24, 2011.

**THE COMMITTEE ON MEDICAL,**

**MILITARY, PUBLIC AND MUNICIPAL AFFAIRS**

To whom was referred a Bill (H. 3750) to amend Section 17‑5‑530, Code of Laws of South Carolina, 1976, relating to a coroner’s duties when a person dies, including where an autopsy must, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass:

LEON HOWARD for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

ESTIMATED FISCAL IMPACT ON GENERAL FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

ESTIMATED FISCAL IMPACT ON FEDERAL & OTHER FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

**EXPLANATION OF IMPACT:**

There is no fiscal impact on the General Fund of the State or on federal and/or other funds.

**LOCAL GOVERNMENT IMPACT:**

Counties were surveyed to determine the impact of this bill. One county responded and indicated there is no fiscal impact with the adoption of this bill.

*Approved By:*

Harry Bell

Office of State Budget

**A** **BILL**

TO AMEND SECTION 17‑5‑530, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO A CORONER’S DUTIES WHEN A PERSON DIES, INCLUDING WHERE AN AUTOPSY MUST BE PERFORMED IF A PERSON DIES IN A HEALTH CARE FACILITY WITHIN TWENTY‑FOUR HOURS OF ENTERING THE FACILITY OR WITHIN TWENTY‑FOUR HOURS OF UNDERGOING AN INVASIVE SURGICAL PROCEDURE, SO AS TO PROVIDE THAT UNLESS THE CORONER CERTIFIES THAT THERE IS NO REASONABLE ALTERNATIVE, THE AUTOPSY MUST NOT BE PERFORMED AT THE HEALTH CARE FACILITY WHERE THE DEATH OCCURRED OR BY A PHYSICIAN WHO TREATED THE PATIENT OR WHO WAS EMPLOYED BY THE HEALTH CARE FACILITY WHERE THE DEATH OCCURRED.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 17‑5‑530(E) of the 1976 Code, as last amended by Act 226 of 2010, is further amended to read:

“(E) If the coroner or medical examiner orders an autopsy upon review of a death pursuant to item (8) of subsection (A), the autopsy must not be performed:

(1) at the health care facility where the death occurred; or

(2) by a physician who treated the patient; or

(3) by a physician who is employed by the health care facility in which the death occurred;

unless the coroner or medical examiner certifies there is no reasonable alternative.”

SECTION 2. This act takes effect upon approval by the Governor.

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