AN ACT

1 Amending Title 44 (Law and Justice) of the Pennsylvania Consolidated Statutes, in other officers and officials, providing for coroners; and making a related repeal.

2 The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

3 Section 1. Title 44 of the Pennsylvania Consolidated Statutes is amended by adding a chapter to read:

4 CHAPTER 75

5 CORONERS

6 Subchapter

7 A. General Provisions (Reserved)

8 B. (Reserved)

9 C. Coroners' Education and Training

10 SUBCHAPTER A

11 GENERAL PROVISIONS

12 (Reserved)

13 SUBCHAPTER B

14 (Reserved)
SUBCHAPTER C
CORONERS' EDUCATION AND TRAINING

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§ 7521. Scope of subchapter.

This subchapter provides for the education and training for county coroners, chief deputy coroners, deputy coroners and other individuals performing death investigations and for the Coroners' Education and Training Account.

§ 7522. Definitions.

The following words and phrases when used in this subchapter shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Account." The Coroners' Education and Training Account established under section 7532 (relating to Coroners' Education and Training Account).

"Board." The Coroners' Education and Training Board.


"Program." The Coroners' Education and Training Program established under the provisions of this subchapter.

§ 7523. Coroners' Education and Training Board.

(a) Establishment.--The Coroners' Education and Training Board is established within the commission.

(b) Composition.--The board shall be composed as follows:

(1) The Executive Director of the commission or a designee.

(2) Five coroners from different areas of this Commonwealth, each with a minimum of six years' experience as a coroner.

(3) A physician coroner or other licensed health care professional coroner with a minimum of six years' experience as a coroner.

(4) A board-certified forensic pathologist with a minimum of four years' experience as a forensic pathologist.

(5) Two other forensic experts with a minimum of four years' experience in death investigations and experience as a toxicologist, an odontologist, an anthropologist or an entomologist.

(6) One educator qualified in the field of criminal justice.

(7) One county district attorney.

(8) The Executive Director of the association, who shall serve as an ex officio member.

(c) Appointments and terms.--All members of the board, except for the executive directors of the commission and the
association, WHO SHALL SERVE AS EX OFFICIO MEMBERS, SHALL BE APPOINTED FOR A PERIOD OF THREE YEARS AND shall be appointed as follows:

(1) One coroner shall be appointed by each of the following from a list of 10 qualified persons recommended by the Pennsylvania Coroners' Association:

(i) The Governor.
(ii) The President pro tempore of the Senate.
(iii) The Minority Leader of the Senate.
(iv) The Speaker of the House of Representatives.
(v) The Minority Leader of the House of Representatives.

(2) The physician coroner or other licensed health care professional coroner shall be appointed by the Governor from a list of three qualified persons recommended by the Pennsylvania Coroners' Association.

(3) The board-certified forensic pathologist shall be appointed by the Governor from a list of three qualified persons recommended by the Pennsylvania Coroners' Association.

(4) Of the other two forensic experts, one shall be appointed by the President pro tempore of the Senate and one shall be appointed by the Speaker of the House of Representatives from a list of five qualified persons recommended by the Pennsylvania Coroners' Association.

(5) One educator qualified in the field of criminal justice shall be appointed by the Governor.

(6) One county district attorney shall be appointed by the Governor.

(d) Vacancies.--A member appointed to fill a vacancy created
by any reason other than expiration of a term shall be appointed
for the unexpired term of the member who the appointee succeeds
in the same manner as the original appointment.

(e) Expenses.--The members of the board shall serve without
compensation but shall be reimbursed the necessary and actual
expenses incurred in attending the meetings of the board and in
the performance of their duties under this subchapter.

(f) Removal.--Members of the board, except the executive
directors of the commission and the association, may be removed
by the Governor for good cause shown upon written notice from
the Governor specifically stating the cause for removal.

(g) Chair.--The members of the board shall select a chair
from among the members to serve for a period of one year. A
chair may be elected to serve successive terms.

(h) Meetings.--The board shall meet bimonthly in person or
via video or conference call. Special meetings may be called by
the chair of the board or upon written request of a majority of
members. Special meeting notices shall be provided two days in
advance and contain the agenda items to be discussed at the
special meeting.

(i) Quorum.--A quorum is required at all meetings in order
for votes to be taken. A simple majority of members present
shall constitute a quorum.

§ 7524. Powers and duties of board.

The board may consult with the commission on any matters it
deems necessary or appropriate. The powers and duties of the
board shall be to:

(1) Establish, implement and administer the Coroners'
Education and Training Program for county coroners, chief
deputy coroners, deputy coroners and any other individuals
performing death investigations, regardless of job title and
regardless of whether they are a full-time employee, part-
time employee or per diem employee.

(2) Establish, implement and administer a continuing
education program for county coroners, chief deputy coroners,
deputy coroners and any other individuals performing death
investigations, regardless of job title and regardless of
whether they are a full-time employee, part-time employee or
per diem employee. In doing so, the board shall determine
which courses, seminars, lectures and meetings qualify for
credit hours and the number of credits to be given to each.

(3) Establish the minimum qualifications for instructors
and certify instructors.

(4) Approve or revoke the approval of any school or
entity that may be utilized to comply with the educational
and training requirements of this subchapter.

(5) Establish the tuition to be charged for the course
of instruction that shall be as nearly equal to the cost of
administering the course and the written examination,
including instruction materials, instructor fees, lodging and
meals.

(6) Certify county coroners, chief deputy coroners,
deputy coroners and any other individuals performing death
investigations, regardless of job title and regardless of
whether they are a full-time employee, part-time employee or
per diem employee, who have satisfactorily completed the
basic education and training requirements of this subchapter
and issue appropriate certificates to them.

(7) Revoke the certification of county coroners, chief
deputy coroners, deputy coroners and any other individuals
performing death investigations, regardless of job title and
regardless of whether they are a full-time employee, part-
time employee or per diem employee in accordance with section
7531 (relating to revocation of certification).

(8) Reinstate previously revoked certifications of
county coroners, chief deputy coroners, deputy coroners and
any other individuals performing death investigations,
regardless of job title and regardless of whether they are a
full-time employee, part-time employee or per diem employee
if the board finds that the circumstances which led to the
revocation of certification are no longer an impediment to
certification.

(9) Make rules and regulations and perform other duties
as may reasonably be necessary or appropriate to administer
this subchapter.

(10) Make an annual report to the Governor and to the
General Assembly concerning:

(i) The administration of the Coroners' Education
and Training Program.

(ii) The activities of the board.

(iii) The costs of the program.

§ 7525. Education and training program.

The Coroners' Education and Training Program shall be no less
than 40 hours of instruction and a final examination. The
program shall include subjects such as death scene
investigation, crime scene processing, toxicology, preservation
of evidence, forensic autopsies, child abuse deaths, elder abuse<--
deaths, pandemic needs and responses, office management,
including forms and reports to be implemented, and the legal
duties of the office of coroner.
§ 7526. Continuing education.

The continuing education program shall require no less than 12 hours of continuing education annually. No more than four hours may be completed online. Continuing education requirements may be obtained in conjunction with the annual conference of the association. The board may increase the required course hours if it is determined that an increase is necessary to maintain current knowledge in the operations of the coroner and shall provide notice of the increase one year prior to the effective date of the new requirements.

§ 7527. Coroner training requirements.

(a) Course of instruction and written examination.--

(1) Except as provided under paragraph (2) and subsection (c), an individual elected or appointed for the first time to the office of coroner on or after the effective date of this paragraph shall complete, prior to being sworn into the office, the required course of instruction and shall successfully pass the final examination with a score of no less than 80%.

(2) The board may postpone the requirements under paragraph (1) upon a showing of just cause.

(b) Noncompliance.--If the individual elected or appointed to the office of coroner fails to comply with the requirements under subsection (a) without just cause, the individual shall not be eligible to take the oath of office and the office of coroner shall be deemed vacant. The vacancy shall be filled in accordance with the laws of this Commonwealth.

(c) Vacancy.--In the event of a vacancy in the office of coroner, the individual appointed to fill the vacancy shall complete the next available course of instruction and
successfully pass the written examination with a score of not less than 80%. In the event the individual appointed to fill a vacancy in the office of coroner is currently a medicolegal death investigator within the office who has previously completed the course and successfully passed the examination and has maintained any continuing education requirements, the appointee shall not be required to participate in an additional course and written examination.

§ 7528. Chief deputy coroner, deputy coroner or other individual performing death investigations training requirements.

(a) Course of instruction and written examination.--

(1) Except as provided under paragraph (2), an individual appointed on or after the effective date of this paragraph to the position of chief deputy coroner, deputy coroner or as an individual performing death investigations shall, within one year, complete the required course of instruction and pass the final examination with a score of no less than 80%.

(2) The board may postpone the completion requirement under paragraph (1) upon a showing of just cause.

(3) The board may establish rules to apply to per diem death investigators, as long as those rules do not eliminate any of the course requirements and a successful passing score of not less than 80%.

(b) Noncompliance.--If the appointed individual fails to comply with the requirements under subsection (a) without just cause, a vacancy shall be deemed to exist in that position and the vacancy shall be filled in accordance with the manner of the original appointment.
§ 7529. Continuing education requirements.

(a) Requirement.--Each year, every coroner, chief deputy coroner, deputy coroner and any other individual performing death investigations, regardless of job title and regardless of whether they are a full-time employee, part-time employee or per diem employee, shall, while in office, meet the requirements for continuing education established by the board.

(b) National certification.--As part of the continuing education requirements for a coroner or chief deputy coroner, each coroner and chief deputy coroner shall attain national medicolegal death investigation certification through the American Board of Medicolegal Death Investigators within two years of taking office and shall maintain the number of hours of continuing education required to maintain national certification.

§ 7530. Home rule counties.

In the case of a county which has adopted a home rule charter which provides for the appointment of the coroner, a coroner appointed after the effective date of this section shall obtain certification within six months of appointment and fulfill continuing education requirements as required under this subchapter.

§ 7531. Revocation of certification.

(a) Revocation of chief deputy coroner, deputy coroner and any other individual performing death investigations certification.--The board shall revoke the certification of any chief deputy coroner, deputy coroner and any other individual performing death investigations for one or more of the following:

(1) Conviction for a felony or misdemeanor of the first
degree or second degree.

(2) If the board determines the individual was dismissed for cause from employment as a chief deputy coroner, deputy coroner and any other individual performing death investigations regardless of job title.

(3) If the board determines the individual is physically or psychologically unfit to perform the duties of the office.

(4) If the board determines the individual has committed misconduct which makes the person unfit to perform the duties of the office, including:

(i) Submission to the board of a document that the individual knows contains false information, including a fraudulent application.

(ii) Cheating on board examinations or skills tests.

(b) Revocation of coroner certification.--The board shall revoke the certification of a coroner only after the coroner is removed from office. Nothing in this subchapter shall be interpreted as providing grounds for removal of a coroner from office, except as provided for by Article VI of the Constitution of Pennsylvania.

(c) Notification by coroner.--In the case of any chief deputy coroner, deputy coroner and any other individual performing death investigations regardless of job title, it shall be the responsibility of the coroner to notify the board within 15 days of the occurrence of an event described under subsection (a).

(d) Notification by county commissioners.--In the case of a coroner, it shall be the responsibility of the county commissioners to notify the board within 15 days of a coroner's removal from office.
(e) Regulations.--The board shall establish regulations providing for the following:

(1) Notice of a revocation and the right of coroners, any chief deputy coroner, deputy coroner and any other individual performing death investigations regardless of job title to request a hearing.

(2) Standards and guidelines for application for recertification following revocation.

§ 7532. Coroners' Education and Training Account.

(a) Establishment.--The Coroners' Education and Training Account is established as a special restricted account within the General Fund. Money in the account is appropriated on a continuing basis to the commission for the purpose of financing education and training expenses, the costs of administering the program, reimbursements to counties and all other costs associated with the activities of the board and the implementation of this subchapter.

(b) Fee.--Two dollars from the fee for each death certificate issued shall be deposited into the account.

(c) Disbursements.--Disbursements from the account shall be made by the commission.

(d) Reimbursement to counties.--Each county shall pay the ordinary and necessary living and travel expenses and the regular wages and per diem of each coroner, chief deputy coroner, deputy coroner and any other individual that performs death investigations while attending approved courses. The commission shall reimburse each county 100% of the stated expenses incurred by each coroner, chief deputy coroner, deputy coroner and any other individual that performs death investigations while attending the basic education and training
course, the national medicolegal death investigation certification course and continuing education courses. The commission shall provide for 100% of the tuition incurred while attending basic education and training, national medicolegal death investigation certification training and continuing education.

Section 2. Repeals are as follows:

(1) The General Assembly declares that the repeal under paragraph (2) is necessary to effectuate the addition of 44 Pa.C.S. Ch. 75.

(2) The act of March 2, 1988 (P.L.108, No.22), referred to as the Coroner's Education Board Law, is repealed.

Section 3. This act shall take effect in 60 days.