INTRODUCED BY J. WARD, REGAN, MASTRIANO, PHILLIPS-HILL, SANTARSIERO, MENSCH, BROOKS, YAW, ARNOLD, LANGERHOLC, ARGALL, BAKER, STEFANO, PITTMAN, K. WARD, AUMENT AND DINNIMAN, MAY 25, 2020

AS AMENDED ON SECOND CONSIDERATION, SEPTEMBER 21, 2020

AN ACT

Amending the act of August 9, 1955 (P.L.323, No.130), entitled "An act relating to counties of the first, second class A, third, fourth, fifth, sixth, seventh and eighth classes; amending, revising, consolidating and changing the laws relating thereto; relating to imposition of excise taxes by counties, including authorizing imposition of an excise tax on the rental of motor vehicles by counties of the first class; and providing for regional renaissance initiatives," in coroner, further providing for coroner's investigation.

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

Section 1. Section 1218-B of the act of August 9, 1955 (P.L.323, No.130), known as The County Code, is amended to read:

Section 1218-B. Coroner's investigation.

(a) Duty.--The coroner having a view of the body following are circumstances of death which shall be reported TO THE CORONER by persons having actual knowledge of the death, including, BUT NOT LIMITED TO, a health care facility, NURSING HOME, personal care home or physician to, AND the coroner, who shall investigate the facts and circumstances concerning a death
that appears to have happened within the county, notwithstanding where the cause of the death may have occurred, for the purpose of determining whether or not an autopsy or inquest should be conducted in the following cases:

1. A sudden death not caused by a readily recognizable disease or, if the cause of death cannot be properly certified, by a physician on the basis of prior recent medical attendance.

2. A death occurring under suspicious circumstances, including if alcohol, a drug or another toxic substance may have had a direct bearing on the outcome.

3. A death occurring as a result of violence or trauma, whether apparently homicidal, suicidal or accidental, including, but not limited to, a death due to mechanical, thermal, chemical, electrical or radiational injury, drowning, cave-in or subsidence.

4. A death in which trauma, chemical injury, drug overdose or reaction to a drug or medication or medical treatment was a primary or secondary, direct or indirect, contributory, aggravating or precipitating cause of death.

5. A perioperative death in which the death is not readily explainable on the basis of prior disease.

6. A death in which the body is unidentified or unclaimed.

7. A death known or suspected to be due to contagious disease, including any disease constituting a health disaster emergency or pandemic, and constituting a public hazard.

8. A death occurring in prison or a penal institution or while in the custody of the police.

9. A death of an individual whose body is to be
cremated, buried at sea or otherwise disposed of so as to be
unavailable for examination thereafter.

(10) A sudden and unexplained infant death.

(11) A stillbirth.

(b) Purpose.--The purpose of an investigation under
subsection (a) shall be to determine:

(1) The cause and manner of the death.

(2) Whether or not there is sufficient reason for the
coroner to believe that the death may have resulted from a
criminal act or criminal neglect of a person other than the
dead.

(c) Requirements.--As part of an investigation under
subsection (a), the coroner shall determine the identity of the
dead and notify the next of kin of the deceased.

(d) Data.--Where it is determined by the coroner of the
county of death or residence of the deceased to be necessary,
the individually identifiable health information that is
maintained by State or local health authorities on disease,
including any death certificate, shall be released to the
coroner of the county where the death occurred at no charge and
without the requirement for a subpoena. The coroner shall follow
all applicable Federal and State laws, regulations and
confidentiality standards.

(D) DATA.--

(1) WHERE IT IS DETERMINED BY THE CORONER TO BE
NECESSARY TO FULFILL THE STATUTORY RESPONSIBILITIES OF THE
CORONER'S OFFICE, THE DEPARTMENT OF HEALTH SHALL PROVIDE
ELECTRONIC ACCESS TO APPROPRIATE DATABASES TO THE CORONER
FOR:

(I) INFORMATION REPORTABLE UNDER THE ACT OF APRIL
23, 1956 (1955 P.L. 1510, No. 500), known as the Disease Prevention and Control Law of 1955, for deaths known or suspected to be due to a contagious disease constituting a public health emergency or pandemic.

(II) Death certificates.

(2) The Department of Health may not charge a fee to the coroner for electronic access to data under this subsection and may not require the coroner to obtain a subpoena.

(3) The coroner shall follow all applicable federal and state laws, regulations and confidentiality standards for data obtained under this subsection.

Section 2. This act shall take effect immediately.