

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1037 Session of
2022

INTRODUCED BY REGAN, GORDNER, J. WARD, MENSCH, BAKER, PHILLIPS-
HILL, HUTCHINSON, BARTOLOTTA, MASTRIANO, YAW, MARTIN,
SCAVELLO AND FLYNN, JANUARY 25, 2022

REFERRED TO LAW AND JUSTICE, JANUARY 25, 2022

AN ACT

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

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

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

8 CHAPTER 75

9 CORONERS

10 Subchapter

11 A. General Provisions (Reserved)

12 B. (Reserved)

13 C. Coroners' Education and Training

14 SUBCHAPTER A

15 GENERAL PROVISIONS

16 (RESERVED)

17 SUBCHAPTER B

18 (RESERVED)

1 SUBCHAPTER C

2 CORONERS' EDUCATION AND TRAINING

3 Sec.

4 7521. Scope of subchapter.

5 7522. Definitions.

6 7523. Coroners' Education and Training Board.

7 7524. Powers and duties of board.

8 7525. Education and training program.

9 7526. Continuing education.

10 7527. Coroner training requirements.

11 7528. Chief deputy coroner, deputy coroner or other individual

12 performing death investigations training

13 requirements.

14 7529. Continuing education requirements.

15 7530. Home rule counties.

16 7531. Revocation of certification.

17 7532. Coroners' Education and Training Account.

18 § 7521. Scope of subchapter.

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

23 § 7522. Definitions.

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

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

30 "Association." The Pennsylvania State Coroners Association.

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

2 "Commission." The Pennsylvania Commission on Crime and
3 Delinquency.

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

6 § 7523. Coroners' Education and Training Board.

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

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

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

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

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

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

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

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

26 (7) One county district attorney.

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

29 (c) Appointments and terms.--All members of the board,
30 except for the executive directors of the commission and the

1 association, shall be appointed as follows:

2 (1) Of the five coroners, two shall be appointed by the
3 President pro tempore of the Senate, two shall be appointed
4 by the Speaker of the House of Representatives and one shall
5 be appointed by the Governor, all from a list of 10 qualified
6 persons recommended by the Pennsylvania Coroners'
7 Association.

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

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

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

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

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

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

29 (e) Expenses.--The members of the board shall serve without
30 compensation but shall be reimbursed the necessary and actual

1 expenses incurred in attending the meetings of the board and in
2 the performance of their duties under this subchapter.

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

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

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

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

19 § 7524. Powers and duties of board.

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

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

29 (2) Establish, implement and administer a continuing
30 education program for county coroners, chief deputy coroners,

1 deputy coroners and any other individuals performing death
2 investigations, regardless of job title and regardless of
3 whether they are a full-time employee, part-time employee or
4 per diem employee. In doing so, the board shall determine
5 which courses, seminars, lectures and meetings qualify for
6 credit hours and the number of credits to be given to each.

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

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

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

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

24 (7) Revoke the certification of county coroners, chief
25 deputy coroners, deputy coroners and any other individuals
26 performing death investigations, regardless of job title and
27 regardless of whether they are a full-time employee, part-
28 time employee or per diem employee in accordance with section
29 7531 (relating to revocation of certification).

30 (8) Reinstate previously revoked certifications of

1 county coroners, chief deputy coroners, deputy coroners and
2 any other individuals performing death investigations,
3 regardless of job title and regardless of whether they are a
4 full-time employee, part-time employee or per diem employee
5 if the board finds that the circumstances which led to the
6 revocation of certification are no longer an impediment to
7 certification.

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

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

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

15 (ii) The activities of the board.

16 (iii) The costs of the program.

17 § 7525. Education and training program.

18 The Coroners' Education and Training Program shall be no less
19 than 40 hours of instruction and a final examination. The
20 program shall include subjects such as death scene
21 investigation, crime scene processing, toxicology, preservation
22 of evidence, forensic autopsies, child abuse deaths, elder abuse
23 deaths, pandemic needs and responses, office management,
24 including forms and reports to be implemented, and the legal
25 duties of the office of coroner.

26 § 7526. Continuing education.

27 The continuing education program shall require no less than
28 12 hours of continuing education annually. No more than four
29 hours may be completed online. Continuing education requirements
30 may be obtained in conjunction with the annual conference of the

1 association. The board may increase the required course hours if
2 it is determined that an increase is necessary to maintain
3 current knowledge in the operations of the coroner and shall
4 provide notice of the increase one year prior to the effective
5 date of the new requirements.

6 § 7527. Coroner training requirements.

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

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

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

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

23 (c) Vacancy.--In the event of a vacancy in the office of
24 coroner, the individual appointed to fill the vacancy shall
25 complete the next available course of instruction and
26 successfully pass the written examination with a score of not
27 less than 80%. In the event the individual appointed to fill a
28 vacancy in the office of coroner is currently a medicolegal
29 death investigator within the office who has previously
30 completed the course and successfully passed the examination and

1 has maintained any continuing education requirements, the
2 appointee shall not be required to participate in an additional
3 course and written examination.

4 § 7528. Chief deputy coroner, deputy coroner or other
5 individual performing death investigations training
6 requirements.

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

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

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

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

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

26 § 7529. Continuing education requirements.

27 (a) Requirement.--Each year, every coroner, chief deputy
28 coroner, deputy coroner and any other individual performing
29 death investigations, regardless of job title and regardless of
30 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.

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

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

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

9 (ii) Cheating on board examinations or skills tests.

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

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

22 (d) Notification by county commissioners.--In the case of a
23 coroner, it shall be the responsibility of the county
24 commissioners to notify the board within 15 days of a coroner's
25 removal from office.

26 (e) Regulations.--The board shall establish regulations
27 providing for the following:

28 (1) Notice of a revocation and the right of coroners,
29 any chief deputy coroner, deputy coroner and any other
30 individual performing death investigations regardless of job

1 title to request a hearing.

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

4 § 7532. Coroners' Education and Training Account.

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

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

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

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

1 education.

2 Section 2. Repeals are as follows:

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

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

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