
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 297 Session of
2015

INTRODUCED BY EVANKOVICH, COHEN, KNOWLES, READSHAW, DAVIS,
WATSON, TOPPER, A. HARRIS, DEASY, MCGINNIS, MILLARD, GRELL,
SAYLOR, O'NEILL, MURT, GABLER, ROEBUCK, RAVENSTAHL AND KORTZ,
FEBRUARY 2, 2015

SENATOR HUTCHINSON, LOCAL GOVERNMENT, IN SENATE, AS AMENDED,
OCTOBER 19, 2016

AN ACT

1 Providing for release of information by coroners and medical
2 examiners.

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

5 Section 1. Short title.

6 This act shall be known and may be cited as the Release of
7 Coroner and Medical Examiner Information Act.

8 Section 2. Definitions.

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

12 "County." A county of the first class, second class, second
13 class A, third class, fourth class, fifth class, sixth class,
14 seventh class or eighth class, including a county within which
15 is located a city of the first class or with which a city of the
16 first class is coextensive.

1 Section 3. Investigation information.

2 ~~(a) General rule. Notwithstanding the act of February 14, <--~~
3 ~~2008 (P.L.6, No.3), known as the Right to Know Law, and except~~
4 ~~as provided in subsection (b), the following apply to public-~~
5 ~~release of information by a coroner or medical examiner:~~

6 ~~(1) Following an investigation by a coroner or medical~~
7 ~~examiner to determine the cause of any death in this~~
8 ~~Commonwealth, the coroner or medical examiner shall not~~
9 ~~release to the public the name of the deceased or the cause~~
10 ~~and manner of death unless the release is in accordance with~~
11 ~~the requirements under paragraph (2).~~

12 ~~(2) Release of the information under paragraph (1) may~~
13 ~~not occur until either notification of the next of kin of the~~
14 ~~deceased individual is confirmed or 72 hours have elapsed~~
15 ~~following the determination of the identity of the deceased~~
16 ~~individual or the cause and manner of the death, whichever~~
17 ~~occurs first.~~

18 (A) GENERAL RULE.--EXCEPT AS PROVIDED IN SUBSECTION (B), <--
19 FOLLOWING AN INVESTIGATION BY A CORONER OR MEDICAL EXAMINER TO
20 DETERMINE THE CAUSE AND MANNER OF ANY DEATH WITHIN THE CORONER'S
21 OR MEDICAL EXAMINER'S JURISDICTION, THE CORONER OR MEDICAL
22 EXAMINER SHALL NOT DISCLOSE TO THE PUBLIC THE NAME OF THE
23 DECEASED OR THE CAUSE AND MANNER OF DEATH UNLESS:

24 (1) THE RELEASE IS IN ACCORDANCE WITH THE REQUIREMENTS
25 UNDER SUBSECTION (B) OR SECTION 5;

26 (2) THE INFORMATION TO BE RELEASED DOES NOT DETAIL THE
27 MEDICAL, PSYCHIATRIC OR PSYCHOLOGICAL HISTORY, DISABILITY
28 STATUS OR TEST RESULTS, INCLUDING DRUG TEST RESULTS, OF THE
29 DECEASED; AND

30 (3) THE RELEASE DOES NOT JEOPARDIZE AN OFFICIAL

1 INVESTIGATION AND THE INFORMATION RELEASED IS NOT PRIVILEGED
2 OR CONFIDENTIAL UNDER THE LAWS OF THIS COMMONWEALTH OR IS IN
3 COMPLIANCE WITH A COURT ORDER.

4 (b) Public health OR SAFETY emergencies.--Notwithstanding <--
5 the provisions of subsection (a), a coroner or medical examiner
6 may release to the public the name of the deceased and the cause
7 and manner of death at any time if the coroner or medical
8 examiner determines that the release is necessary to avert a
9 public health OR SAFETY emergency. <--

10 Section 4. Limitation of liability.

11 (a) General rule.--A coroner or medical examiner who acts in
12 good faith in accordance with the provisions of this act shall
13 not be subject to criminal or civil liability arising from any
14 action under this act.

15 (b) Nonapplicability.--The immunity provided by subsection
16 (a) shall not apply to acts of gross negligence or recklessness.

17 Section 5. Construction.

18 Nothing in this act shall be construed to prohibit a coroner
19 or medical examiner from releasing information to the public if
20 the identity of the deceased or the next of kin is unknown and:

21 (1) The information is necessary to find the next of kin
22 for purpose of notification under section 3.

23 (2) The information consists only of the following:

24 (I) NAME, IF KNOWN. <--

25 ~~(i)~~ (II) Gender. <--

26 ~~(ii)~~ (III) Race. <--

27 ~~(iii)~~ (IV) Age. <--

28 ~~(iv)~~ (V) Date the deceased was found. <--

29 ~~(v)~~ (VI) Sketch. <--

30 ~~(vi)~~ (VII) Any information the coroner and medical <--

1 examiner deem necessary.

2 (3) The information does not jeopardize an official
3 investigation.

4 (4) The information is not privileged or confidential
5 under the laws of this Commonwealth or pursuant to court
6 order.

7 Section 6. Applicability.

8 This act shall apply in each county of this Commonwealth.

9 Section 7. Effective date.

10 This act shall take effect in 60 days.