
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2031 Session of
2018

INTRODUCED BY EVANKOVICH, READSHAW, BIZZARRO, DRISCOLL, TOPPER,
HELM, WARD, ORTITAY, KEEFER, ZIMMERMAN, DOWLING AND WARNER,
JANUARY 24, 2018

REFERRED TO COMMITTEE ON JUDICIARY, JANUARY 24, 2018

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 a
15 city of the first class is located or with which a city of the
16 first class is coextensive.

17 Section 3. Investigation information.

1 (a) General rule.--Except as provided in subsection (b),
2 following an investigation by a coroner or medical examiner to
3 determine the cause and manner of a death within the coroner's
4 or medical examiner's jurisdiction, the coroner or medical
5 examiner shall not disclose to the public the name of the
6 deceased nor the cause and manner of death unless:

7 (1) The release is in accordance with the requirements
8 under subsection (b) or section 5.

9 (2) The information to be released does not detail the
10 medical, psychiatric or psychological history, disability
11 status or test results, including drug test results, of the
12 deceased.

13 (3) The release does not jeopardize an official
14 investigation and the information released is not privileged
15 or confidential under the laws of this Commonwealth or is in
16 compliance with a court order.

17 (b) Public health or safety emergencies.--Notwithstanding
18 the provisions of subsection (a), a coroner or medical examiner
19 may release to the public the name of the deceased and the cause
20 and manner of death at any time if the coroner or medical
21 examiner determines that the release is necessary to avert a
22 public health or safety emergency.

23 Section 4. Limitation of liability.

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

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

30 Section 5. Construction.

1 Nothing in this act shall be construed to prohibit a coroner
2 or medical examiner from releasing information to the public if
3 the identity of the deceased or the next of kin is unknown and
4 the following:

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

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

8 (i) Name, if known.

9 (ii) Gender.

10 (iii) Race.

11 (iv) Age.

12 (v) Date the deceased was found.

13 (vi) Sketch.

14 (vii) Any information the coroner and medical
15 examiner deem necessary.

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

18 (4) The information is not privileged or confidential
19 under the laws of this Commonwealth or pursuant to a court
20 order.

21 Section 6. Applicability.

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

23 Section 7. Effective date.

24 This act shall take effect in 60 days.