
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2755 Session of
2020

INTRODUCED BY BROOKS, BERNSTINE, READSHAW, MILLARD, JONES,
ROTHMAN, McNEILL, EMRICK, JOZWIAK, HEFFLEY, RYAN, GLEIM AND
ROEBUCK, AUGUST 7, 2020

REFERRED TO COMMITTEE ON HEALTH, AUGUST 7, 2020

AN ACT

1 Providing for release of information on deceased individuals by
2 coroners or medical examiners and for immunity from
3 liability.

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

6 Section 1. Short title.

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

9 Section 2. Definitions.

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

13 "County." Any county in this Commonwealth, including a
14 county within which is located a city of the first class or with
15 which a city of the first class is coextensive.

16 Section 3. Release of information on deceased individuals.

17 (a) Release to public.--Notwithstanding the act of February
18 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law, and

1 except as provided under subsection (b), after an investigation
2 by the coroner or medical examiner in a county to determine the
3 cause of death of an individual in this Commonwealth, the
4 coroner or medical examiner may not release to the public the
5 identity of the deceased individual or the cause and manner of
6 death unless any of the following occur:

7 (1) Notice of the identity of the deceased individual
8 and the cause and manner of death is provided to the next of
9 kin of the deceased individual.

10 (2) No less than 24 hours have elapsed after the coroner
11 or medical examiner has identified the deceased individual or
12 the cause and manner of the death, whichever occurs first.

13 (b) Exception.--A coroner or medical examiner in a county
14 may release to the public the identity of a deceased individual
15 and the cause and manner of the death at any time if the coroner
16 or medical examiner determines that the release is necessary to
17 avert a public health emergency.

18 Section 4. Immunity from liability.

19 (a) Immunity.--Except as provided under subsection (b), a
20 coroner or medical examiner in a county who acts in good faith
21 in accordance with the provisions of this act shall not be
22 subject to criminal or civil liability arising from any action
23 under this act.

24 (b) Exception.--A coroner or medical examiner in a county
25 shall not be immune from criminal or civil liability under
26 subsection (a) for acts of gross negligence or recklessness.

27 Section 5. Construction.

28 Nothing in this act shall be construed to prohibit a coroner
29 or medical examiner in a county from releasing to the public the
30 identity of a deceased individual or the cause and manner of

1 death if the identity of the deceased individual or the next of
2 kin is unknown and all of the following apply:

3 (1) The release is necessary to find the next of kin to
4 satisfy the notice requirement under section 3(a)(1).

5 (2) The release contains only the following information
6 about the deceased individual:

7 (i) Name, if known.

8 (ii) Gender.

9 (iii) Race.

10 (iv) Age.

11 (v) Date the deceased individual was found.

12 (vi) Sketch of the deceased individual.

13 (vii) Any information the coroner and medical
14 examiner deem necessary to find the next of kin to
15 satisfy the notice requirement under section 3(a)(1).

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

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

21 Section 6. Effective date.

22 This act shall take effect in 60 days.