

**GENERAL ASSEMBLY OF NORTH CAROLINA**  
**SESSION 2007**

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**SENATE DRS75516-MDz-91A\* (3/27)**

Short Title: Expand Medical Examiner Jurisdiction/Funds. (Public)

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Sponsors: Senators Nesbitt, Malone, Boseman, Apodaca, Atwater, Jones, Brown, Dorsett, Hartsell, Jenkins, Preston, Rand, Kerr, Snow, and Goss.

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Referred to:

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A BILL TO BE ENTITLED

AN ACT TO EXPAND THE JURISDICTION OF MEDICAL EXAMINERS TO INCLUDE DEATHS THAT OCCUR AT FACILITIES OPERATED BY OR ON BEHALF OF THE DIVISION OF MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES AS RECOMMENDED BY THE JOINT SELECT COMMITTEE ON EMERGENCY PREPAREDNESS AND DISASTER MANAGEMENT RECOVERY.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 130A-383(a) reads as rewritten:

**"§ 130A-383. Medical examiner jurisdiction.**

(a) Upon the death of any person resulting from violence, poisoning, accident, suicide or homicide; occurring suddenly when the deceased had been in apparent good health or when unattended by a physician; occurring in a jail, prison, correctional institution or in police custody; occurring in any facility operated by, or on behalf of, the Division of Mental Health, Developmental Disabilities, and Substance Abuse Services of the Department of Health and Human Services; occurring pursuant to Article 19 of Chapter 15 of the General Statutes; or occurring under any suspicious, unusual or unnatural circumstance, the medical examiner of the county in which the body of the deceased is found shall be notified by a physician in attendance, hospital employee, law-enforcement officer, funeral home employee, emergency medical technician, relative or by any other person having suspicion of such a death. No person shall disturb the body at the scene of such a death until authorized by the medical examiner unless in the unavailability of the medical examiner it is determined by the appropriate law enforcement agency that the presence of the body at the scene would risk the integrity of the body or provide a hazard to the safety of others. For the limited purposes of this Part, expression of opinion that death has occurred may be made by a

1 nurse, an emergency medical technician or any other competent person in the absence of  
2 a physician."

3           **SECTION 2.** There is appropriated from the General Fund to the Division of  
4 Mental Health, Developmental Disabilities, and Substance Abuse Services of the  
5 Department of Health and Human Services the sum of one hundred fifty-eight thousand  
6 three hundred fifty-one dollars (\$158,351) in recurring funds for the 2008-2009 fiscal  
7 year to implement this act.

8           **SECTION 3.** This act becomes effective July 1, 2008.