

House Bill 262

By: Representatives Nelson of the 125th, Prince of the 127th, Boddie of the 62nd, Williams of the 145th, Williams of the 168th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 2 of Chapter 16 of Title 45 of the Official Code of Georgia Annotated,
2 relating to death investigations, so as to provide that a coroner or county medical examiner
3 is authorized in an additional circumstance to conduct an investigation; to provide a
4 definition; to provide for related matters; to provide an effective date; to repeal conflicting
5 laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 2 of Chapter 16 of Title 45 of the Official Code of Georgia Annotated, relating to
9 death investigations, is amended by revising Code Section 45-16-21, relating to definitions,
10 by adding a new paragraph to read as follows:

11 "(1.2) 'Compensated care' means services provided by:

12 (A) A home health agency as defined in paragraph (2) of Code Section 31-7-150;

13 (B) A private home care provider as defined in paragraph (4) of Code Section
14 31-7-300;

15 (C) A long-term care facility as defined in paragraph (2) of Code Section 31-8-51;

16 (D) Community living arrangements which are defined as any residences, whether
17 operated for profit or not, that undertake through their ownership or management to
18 provide or arrange for the provision of daily personal services, supports, care, or
19 treatment exclusively for two or more adults who are not related to the owner or
20 manager by blood or marriage and whose residential services are financially supported,
21 in whole or in part, by funds designated through the Department of Behavioral Health
22 and Developmental Disabilities; or

23 (E) Hospice as defined in paragraph (5) of Code Section 31-7-172."

24 **SECTION 2.**

25 Said article is further amended by revising subsections (a) and (b) of Code Section 45-16-24,
 26 relating to notification of suspicious or unusual deaths, court ordered medical examiner's
 27 inquiry, and written report of inquiry, as follows:

28 "(a) When any individual dies in any county in this state:

29 (1) As a result of violence;

30 (2) By suicide or casualty;

31 (3) Suddenly when in apparent good health;

32 (4) In any suspicious or unusual manner, with particular attention to those individuals
 33 16 years of age and under;

34 (5) After birth but before seven years of age if the death is unexpected or unexplained;

35 (6) As a result of an execution carried out pursuant to the imposition of the death penalty
 36 under Article 2 of Chapter 10 of Title 17;

37 (7) When an inmate of a state hospital or a state, county, or city penal institution;

38 (8) After having been admitted to a hospital in an unconscious state and without
 39 regaining consciousness within 24 hours of admission;

40 (9) As a result of an apparent drug overdose; ~~or~~

41 (10) When unattended by a physician; or

42 (11) While receiving compensated care or within 30 days of having received
 43 compensated care,

44 it shall be the duty of any law enforcement officer or other person having knowledge of
 45 such death to notify immediately the coroner or county medical examiner of the county in
 46 which the acts or events resulting in the death occurred or the body is found. For the
 47 purposes of this Code section, no individual shall be deemed to have died unattended when
 48 the death occurred while he or she was a patient of a hospice licensed under Article 9 of
 49 Chapter 7 of Title 31.

50 (b) A coroner or county medical examiner who is notified of a death pursuant to
 51 subsection (a) of this Code section under circumstances specified in paragraphs (1)
 52 through (9) of such subsection shall order a medical examiner's inquiry of that death. This
 53 subsection shall not be construed to prohibit a medical examiner's inquiry of a death if a
 54 coroner or county medical examiner is notified of a death under circumstances specified
 55 in paragraph (10) or (11) of subsection (a) of this Code section."

56 **SECTION 3.**

57 This Act shall become effective upon its approval by the Governor or upon its becoming law
 58 without such approval.

59

SECTION 4.

60 All laws and parts of laws in conflict with this Act are repealed.