

SENATE BILL No. 215

DIGEST OF INTRODUCED BILL

Citations Affected: IC 36-2-14-21.

Synopsis: Coroners and health records. Requires a hospital to provide a coroner with an individual's health records if the individual dies on hospital premises when in apparent good health or in an apparently sudden, suspicious, unusual, or unnatural manner. Requires the coroner to provide the health records to a pathologist or medical examiner if an autopsy is to be performed.

Effective: July 1, 2018.

Tomes

January 3, 2018, read first time and referred to Committee on Health and Provider Services.



Second Regular Session 120th General Assembly (2018)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2017 Regular Session of the General Assembly.

SENATE BILL No. 215

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 36-2-14-21, AS AMENDED BY P.L.1-2007,
2 SECTION 240, IS AMENDED TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2018]: Sec. 21. (a) As used in this section,
4 "health records" means written, electronic, or printed information
5 possessed by a provider concerning any diagnosis, treatment, or
6 prognosis of the patient. The term includes mental health records,
7 alcohol and drug abuse records, and emergency ambulance service
8 records.
9 (b) As used in this section, "provider" has the meaning set forth in
10 IC 16-18-2-295(b).
11 (c) As part of a medical examination or autopsy conducted under
12 this chapter, a coroner may obtain a copy of the decedent's health
13 records.
14 (d) If:
15 (1) **an individual dies while present on hospital premises; and**
16 (2) **death occurred:**
17 (A) **when the individual was in apparent good health; or**



1 **(B) in an apparently sudden, suspicious, unusual, or**
 2 **unnatural manner;**
 3 **the hospital shall provide the coroner with the individual's**
 4 **complete health records.**

5 ~~(d)~~ **(e)** Except as provided in subsection ~~(e)~~; **(f)**, health records
 6 obtained under this section are confidential.

7 ~~(e)~~ **(f)** The coroner:

8 **(1) shall provide the pathologist or medical examiner with a**
 9 **complete copy of the decedent's health records if an autopsy**
 10 **is being performed on the decedent; and**

11 **(2) may provide the health records of a decedent that were**
 12 obtained under this section to a prosecuting attorney or law
 13 enforcement agency that is investigating the individual's death.

14 Health records received from a coroner under this subsection are
 15 confidential.

16 **(g) If a pathologist or medical examiner receives a copy of the**
 17 **decedent's health records under subsection (f), the pathologist or**
 18 **medical examiner shall review the health records as part of the**
 19 **performance of the autopsy.**

20 ~~(f)~~ **(h)** A person who receives confidential records or information
 21 under this section and knowingly or intentionally discloses the records
 22 or information to an unauthorized person commits a Class A
 23 misdemeanor.

