

HOUSE BILL No. 2674

By Committee on Judiciary

2-13

1 AN ACT concerning coroners; relating to child death investigations;
2 autopsies; amending K.S.A. 22a-242 and repealing the existing section.

3
4 *Be it enacted by the Legislature of the State of Kansas:*

5 Section 1. K.S.A. 22a-242 is hereby amended to read as follows: 22a-

6 242. (a) When a child dies, any law enforcement officer, ~~health care~~

7 *healthcare* provider or other person having knowledge of the death shall

8 immediately notify the coroner of the known facts concerning the time,

9 place, manner and circumstances of the death. If the notice to the coroner

10 identifies any suspicious circumstances or unknown cause, ~~as described in~~

11 ~~the protocol developed by the state review board under K.S.A. 22a-243,~~

12 ~~and amendments thereto,~~ the coroner shall immediately: ~~(1) investigate~~

13 ~~the death to determine identify~~ whether the child's death ~~included any such~~

14 ~~was suspicious circumstance or unknown cause; and (2) pursuant to the~~

15 ~~protocol adopted by the state child death review board under K.S.A. 22a-~~

16 ~~243, and amendments thereto. If the coroner identifies any suspicious~~

17 ~~circumstances were present at or during the time leading up to the death~~

18 ~~of the child, or if the child's cause of death is unknown, the coroner shall~~

19 ~~direct a pathologist to perform an autopsy.~~

20 (b) *If, after investigation, the coroner determines that the death of a*

21 *child does not include any suspicious circumstances or unknown cause, as*

22 *described in the protocol developed by the state child death review board*

23 *under K.S.A. 22a-243, and amendments thereto, the coroner shall*

24 *complete and sign a nonsuspicious child death form.*

25 (c) If, after investigation and an autopsy, the coroner determines that

26 the death of a child does not include any suspicious circumstances or

27 unknown cause, as described in the protocol developed by the state *child*

28 *death* review board under K.S.A. 22a-243, and amendments thereto, the

29 coroner shall complete and sign a nonsuspicious child death form.

30 ~~(e)~~(d) If, after investigation and an autopsy, the coroner determines

31 that the death of a child includes any suspicious circumstance or unknown

32 cause, as described in the protocol developed by the state *child death*

33 *review* board under K.S.A. 22a-243, and amendments thereto, the coroner

34 shall notify, within 30 days, the chairperson of the state *child death* review

35 board and shall notify, within 24 hours, the county or district attorney of

36 the county where the death of the child occurred.

1 ~~(d)~~(e) The coroner shall ~~attempt to notify~~ *make reasonable effort to*
2 *identify and contact* any parent or legal guardian of the deceased child
3 prior to the performance of an autopsy pursuant to this section and ~~attempt~~
4 *reasonable effort* to notify any such parent or legal guardian of the results
5 of the autopsy, *unless a parent or legal guardian of the deceased child has*
6 *opted, in writing, to not receive the autopsy results.*

7 ~~(e)~~(f) A coroner shall not make a determination that the death of a
8 child less than one year of age was caused by sudden infant death
9 syndrome unless an autopsy is performed.

10 ~~(f)~~(g) The fee for an autopsy performed under this section shall be the
11 usual and reasonable fee and travel allowance authorized under K.S.A.
12 22a-233, and amendments thereto, and shall be paid from the district
13 coroners fund.

14 Sec. 2. K.S.A. 22a-242 is hereby repealed.

15 Sec. 3. This act shall take effect and be in force from and after its
16 publication in the statute book.