

2010 -- S 2129

LC00484

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2010

A N A C T

RELATING TO HEALTH AND SAFETY -- OFFICE OF STATE MEDICAL EXAMINERS

Introduced By: Senators Blais, and Miller

Date Introduced: February 04, 2010

Referred To: Senate Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 23-4-6 of the General Laws in Chapter 23-4 entitled "Office of
2 State Medical Examiners" is hereby amended to read as follows:

3 **23-4-6. State medical examiners commission.** -- (a) There is established the state
4 medical examiners commission. The commission shall hear and determine appeals to decisions
5 by chief medical examiners regarding the undertaking of investigations, inquests, and autopsies,
6 and shall advise the chief medical examiner on matters of public concern.

7 (b) The commission shall consist of ~~twelve (12)~~ thirteen (13) members, three (3) of
8 whom shall be ex officio members, viz., the director of health, the attorney general, the
9 superintendent of state police, and nine (9) citizens of the state to be appointed by the governor
10 with the advice and consent of the senate for the term of three (3) years, and one non-voting
11 member who shall be a representative of the New England Organ Bank and who need not be a
12 resident of the State of Rhode Island. The governor shall give due consideration to any
13 recommendations for nominations submitted to him or her by the president of the Rhode Island
14 Medical Society, the president of the Rhode Island Society of Pathologists, the president of the
15 Rhode Island Bar Association, the vice president of Brown University Division of Biological and
16 Medical Sciences and the president of the Rhode Island Funeral Directors Association. Each
17 citizen member shall hold office for the term of his or her appointment and until his or her
18 successor is appointed. Vacancies for citizen members shall be filled by appointment for the
19 unexpired term only.

1 (c) The director of health and the attorney general shall be the chairperson and vice
2 chairperson, respectively, of the commission. The chief medical examiner of the office of state
3 medical examiners shall serve as the executive secretary of the commission, and the expenses of
4 the commission shall be a responsibility of the department of health. The board may elect from
5 among its members such other officers as it deems necessary. Seven (7) members of the board
6 shall constitute a quorum and the vote of a majority of those present and voting shall be required
7 for action. The commission shall meet at the call of its chairperson and at least four (4) times each
8 year, the time and the place for each meeting to be fixed by the chairperson.

9 (d) Members of the commission shall be removable by the governor pursuant to the
10 provisions of section 36-1-7 of the general laws and for cause only, and removal solely for
11 partisan or personal reasons unrelated to capacity or fitness for the office shall be unlawful.

12 (e) Within ninety (90) days after the end of each fiscal year, the commission shall
13 approve and submit an annual report to the governor, the speaker of the house of representatives,
14 the president of the senate, and the secretary of state, of its activities during that fiscal year. The
15 report shall provide an operating statement summarizing meetings or hearings held, including
16 meeting minutes, subjects addressed, decisions rendered, appeals considered and their disposition,
17 rules or regulations promulgated, studies conducted, policies and plans developed, approved, or
18 modified, and programs administered or initiated; a consolidated financial statement of all funds
19 received and expended including the source of the funds, a listing of any staff supported by these
20 funds, and a summary of any clerical, administrative or technical support received; a summary of
21 performance during the previous fiscal year including accomplishments, shortcomings and
22 remedies; a synopsis of hearing, complaints, suspensions, or other legal matters related to the
23 authority of the commission; a summary of any training courses held pursuant to this chapter; a
24 briefing on anticipated activities in the upcoming fiscal year; and findings and recommendations
25 for improvements. The report shall be posted electronically on the websites of the general
26 assembly and the secretary of state pursuant to the provisions of section 42-20-8.2. The director
27 of the department of administration shall be responsible for the enforcement of the provisions of
28 this subsection.

29 (f) The commission shall conduct a training course for newly appointed and qualified
30 members within six (6) months of their qualification or designation. The course shall be
31 developed by the chair of the commission, be approved by the commission, and be conducted by
32 the chair of the commission. The commission may approve the use of any commission and/or
33 staff members and/or individuals to assist with training. The training course shall include
34 instruction in the following areas: the provisions of chapters 42-46, 36-14 and 38-2; and the

1 commission's rules and regulations. The director of the department of administration shall, within
2 ninety (90) days of June 16, 2006, prepare and disseminate training materials relating to the
3 provisions of chapters 42-46, 36-14, and 38-2.

4 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO HEALTH AND SAFETY -- OFFICE OF STATE MEDICAL EXAMINERS

1 This act would add one non-voting member to the state medical examiners commission
2 who would be a representative from the New England Organ Bank and who need not be a Rhode
3 Island resident.

4 This at would take effect upon passage.

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