

HOUSE BILL 2825

By Hensley

AN ACT to amend Tennessee Code Annotated, Title 38, Chapter 7; Title 39 and Title 53, Chapter 10, relative to medical examiners.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 53-10-306(a), is amended by designating the current subdivisions (5) and (6) as (6) and (7), respectively, and by adding the following as a new subdivision (5):

(5) A county medical examiner appointed pursuant to § 38-7-104 when acting in an official capacity as established in § 38-7-109; provided, any access to information from the database shall be subject to the confidentiality provisions of this part except where information obtained from the database is appropriately included in any official report of the county medical examiners, toxicological reports or autopsy reports issued by the county medical examiner under § 38-7-110(c).

SECTION 2. Tennessee Code Annotated, Section 53-10-306(g), is amended by deleting the language “(a)(1)-(5)” and substituting instead the language “(a)(1)-(6)”.

SECTION 3. Tennessee Code Annotated, Section 53-10-306(k), is amended by adding the following as a new subdivision (5):

(5) Where an individual authorized under subsection (a) acts in good faith in accessing or using information from the database in accordance with the limitations under this part, that person shall not incur any civil or criminal liability as a result of that use or access.

SECTION 4. Tennessee Code Annotated, Section 53-10-306, is amended by adding the following as a new subsection (m) thereto:

(m) Where an investigation is conducted under § 38-7-109, and information within the database is obtained pursuant to the requirements of this part, there exists a rebuttable presumption that the county medical examiner is acting in good faith.

SECTION 5. This act shall take effect on becoming law, the public welfare requiring it.