

House Bill 1481
House Human Services Committee
Testimony of Rep. Gretchen Dobervich, Bill Sponsor
January 25, 2023

Good morning Chairman Weiss and fellow members of the House Human Services Committee. I am before you this morning to introduce HB 1481. This bill is a technical corrections bill to sections of North Dakota Century Code that apply to the work of our county coroners. Please note that there was a glitch in Requests and some amendments are still to come.

The proposed change to Subsection 2 of section 23-02.1-27 adds county coroners, medical examiners and the state forensic officer to the list of persons who can provide a certified copy of a complete death record to a relative, an authorized representative, the child fatality review board, a licensed physician, or a genetic sibling for the purposes of researching family medical history. This proposed change allows county coroners, medical examiners, and the state forensic officer to view the complete death record, which they are legally required to sign, prior to signing it.

An amendment is on the way for HB 1481 to amend North Dakota Century Code 44-04-18.18 to include an item (6) Teaching and training of county coroner personnel or other medical professional education. This section addresses the legal uses of autopsy images. While there is a subsection (1) which states autopsy photos can be used for "medical or scientific teaching or training purposes" the coroner who requested this amendment stated that they felt it was necessary as they have had issues in the past obtaining photographs for training purposes.

An amendment is also coming to amend North Dakota Century Code 44-04-18.7 to add a number 10 which reads an image taken by county coroner personnel or a medical examiner using a digital camera or similar device. In North Dakota Century Code 44-04-18.7 (2) add law enforcement after coroner. This allows law enforcement to use deidentified autopsy images for teaching and training purposes. In North Dakota Century Code 44-04-18.7(3) add law enforcement after coroner. This allows a decedent's spouse, child, parent, or sibling, upon proof of the relationship to view an autopsy photograph, image, or recording in the business offices of law enforcement. Current law allows for viewing in the offices of medical examiner, coroner, or physician, if there is not an active criminal investigation or prosecution. It is believed this is needed as in some counties a law enforcement official is also the county coroner and there may not be a designated coroner's office.

That concludes my testimony and I stand for any questions.

Thank you Mr. Chairman and Members of the Committee.