## GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2001

## HOUSE BILL 648\*

(Public)

ponsors: Representatives Earle; Insko, Barefoot, Alexander, and Wainwright.				
Referred to: Public Health, if favorable, Rules, Calendar, and Operations of House.	of the			
March 15, 2001				
A BILL TO BE ENTITLED				
AN ACT TO ESTABLISH THE NORTH CAROLINA STUDY COMMISSION ON				
MEDICAL EXAMINERS.				
Whereas, every year hundreds of suspicious, accidental, and violent	deaths			
are not reported to North Carolina's medical examiners; and				
Whereas, hundreds of North Carolina death certificates are fille	ed out			
improperly each year; and				
Whereas, medical researchers estimate that as many as 40% of				
certificates nationwide have inaccurate or incomplete cause-of-death information; and				
Whereas, errors in death certificates skew death statistics, which are u				
study disease, leave families with misleading information, and leave researchers w	vitnout			
the ability to spot dangerous health trends; and Whereas, failure to adequately investigate suspicious deaths can result in				
criminal behavior going unpunished; and				
Whereas, failure to accurately determine the cause of death can result i	in loss			
of insurance benefits or other compensation that would have paid had a different				
been attributed to the death; and	cuuse			
Whereas, inadequate funding for staff, investigation, and training	have			
contributed to overburdened medical examiner offices and mistakes in cause-of				
determinations; Now, therefore,				
The General Assembly of North Carolina enacts:				
SECTION 1.(a) There is established the North Carolina Study Comm	nission			
on Medical Examiners. The Study Commission shall study the effectiveness				
current State medical examiner system, including the Chief Medical Examine				
county medical examiners in carrying out their duties under State law. In conducti	ing the			

county medical examiners in carrying out their duties under State law. In conducting thestudy, the Study Commission shall consider whether the current system should be

Short Title: Medical Examiner Study.

## GENERAL ASSEMBLY OF NORTH CAROLINA

1		make more effective and efficient use of available resources for the		
2	•	udy Commission shall also consider the following:		
3 4	(1)	The extent to which suspicious deaths are unreported or underreported and the reasons therefor:		
4 5	( <b>2</b> )	and the reasons therefor; The extent to which certification of the causes of natural deaths is		
5 6	(2)			
0 7	(2)	inaccurate or incomplete; Whather investigations are conducted when the cause of death is		
8	(3)	Whether investigations are conducted when the cause of death is		
o 9		unknown or has occurred under suspicious circumstances, and the adequacy of investigations;		
10	(4)	Whether county medical examiners are adequately trained in		
11	(1)	conducting postmortem examinations and investigations;		
12	(5)	Whether funding of the State and county medical examiner offices is		
13	(0)	adequate to carry out statutory duties and serve the public interest;		
14	(6)	The consequences to the public interest when vital statistics records		
15	(0)	are inaccurate or provide insufficient information on the cause of		
16		death;		
17	(7)	The consequences to the community and family members when there		
18		are errors in accurately determining and reporting the cause of death;		
19		and		
20	(8)	Other matters relevant to determining the efficiency and effectiveness		
21		in the operation of the State's medical examiner system.		
22		<b>SECTION 1.(b)</b> The Study Commission shall consist of 13 members, 11		
23	members appoir	nted as follows:		
24	(1)	Five members appointed by the President Pro Tempore of the Senate,		
25		three of whom shall be members of the Senate at the time of		
26		appointment, one individual nominated by the Association of County		
27		Commissioners, and one individual who is a county medical examiner		
28		or a physician licensed to practice medicine in this State.		
29	(2)	Five members appointed by the Speaker of the House of		
30		Representatives, three of whom shall be members of the House of		
31		Representatives at the time of appointment, one individual nominated		
32		by the North Carolina Public Health Association, and one individual		
33	(2)	nominated by the North Carolina Child Fatality Task Force.		
34 25	(3)	One member appointed by the Governor who is a member of the		
35 36	The Chief Med	general public.		
30 37	The Chief Medical Examiner and the State Health Director shall be ex officio members of the Commission. Appointed and ex officio members shall be voting members			
38	of the Commission. Appointed and ex officio members shall be voting members. SECTION 1.(c) The President Pro Tempore of the Senate and the Speaker			
39	of the House of Representatives shall each designate a cochair of the Study Commission			
40	from their appointees.			
41	<b>SECTION 1.(d)</b> With the prior approval of the Legislative Services			
42	Commission, the Legislative Services Officer shall assign professional staff to assist in			
13	the work of the Study Commission on Medical Examiners. With the prior approval of			

43 the work of the Study Commission on Medical Examiners. With the prior approval of

## GENERAL ASSEMBLY OF NORTH CAROLINA

1 the Legislative Services Commission, the Study Commission may hold its meetings in 2 the State Legislative Building or the Legislative Office Building. 3 **SECTION 1.(e)** The Study Commission shall submit a final written report of 4 its findings and recommendations on or before the convening of the 2003 Session of the 5 General Assembly and may submit a report to the 2002 Regular Session of the 2001 6 General Assembly. All reports shall be filed with the President Pro Tempore of the 7 Senate, the Speaker of the House of Representatives, and the Legislative Librarian. 8 Upon filing its final report the Study Commission shall terminate. 9 **SECTION 1.(f)** Members of the Study Commission shall be paid per diem, 10 subsistence, and travel allowances as follows: 11 (1)Study Commission members who are also members of the General 12 Assembly, at the rate established in G.S. 120-3.1; 13 (2)Study Commission members who are officials or employees of the 14 State or local government agencies, at the rate established in G.S. 15 138-6; All other Study Commission members, at the rate established in G.S. 16 (3) 17 138-5. 18 **SECTION 1.(g)** All State departments and agencies, local boards of health, 19 and local governments and their subdivisions shall cooperate with the Study 20 Commission and, upon request, shall furnish to the Study Commission and its staff any 21 information in their possession or available to them. 22 SECTION 2. From funds appropriated to the General Assembly for the 23 2001-2003 fiscal biennium, the Legislative Services Commission shall allocate funds 24 for the expenses of the Study Commission on Medical Examiners. **SECTION 3.** This act is effective when it becomes law. 25