

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

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HOUSE BILL 281
Committee Substitute Favorable 3/25/15

Short Title: Records to Medical Examiner.

(Public)

Sponsors:

Referred to:

March 19, 2015

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR THE DIVISION OF ADULT CORRECTION TO PROVIDE COPIES OF ALL RECORDS TO THE OFFICE OF THE CHIEF MEDICAL EXAMINER IN THE EVENT OF THE DEATH OF AN INMATE IN THE CUSTODY OF THE DIVISION.

The General Assembly of North Carolina enacts:

SECTION 1. Article 1 of Chapter 148 of the General Statutes is amended by adding a new section to read:

"§ 148-10.5. Death of an inmate; records to the Office of the Chief Medical Examiner.

In addition to any other requirements under State law, and consistent with the responsibilities and jurisdiction of medical examiners under Part 1 of Article 16 of Chapter 130A of the General Statutes, whenever an inmate dies while in the custody of the Division of Adult Correction, the Division shall provide, for the purpose of determining the cause and manner of death, full and accurate copies of all records associated with the deceased inmate, including any records made after the inmate's death, as requested by the Office of the Chief Medical Examiner. In the event that the State Bureau of Investigation conducts an investigation into the death, a full and accurate copy of the report of that investigation shall also be provided upon request to the Office of the Chief Medical Examiner. Notwithstanding any other provision of law, no right of privacy considerations shall prevent the Office of the Chief Medical Examiner from obtaining copies of all such records directly from the Division of Adult Correction or the State Bureau of Investigation. Records provided to the Office of the Chief Medical Examiner pursuant to this section shall not be public records as defined by G.S. 132-1 if the records would not be public records in the custody of the Division of Adult Correction or the State Bureau of Investigation."

SECTION 2. This act is effective when it becomes law.



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