

2015 Regular Session

HOUSE BILL NO. 195

BY REPRESENTATIVE JIM MORRIS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

CORONERS: Provides with respect to the office of coroner

1 AN ACT

2 To amend and reenact R.S. 9:111(B) and R.S. 13:5705 and 5712(A), relative to coroners;  
3 to provide relative to the information upon which the coroner bases the medical  
4 pronouncement of death; to provide for the notification of death to the coroner; to  
5 provide relative to the appointment of deputy and assistant coroners and their  
6 qualifications; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 9:111(B) is hereby amended and reenacted to read as follows:

9 §111. Definition of death

10 \* \* \*

11 B. The medical pronouncement of death by a coroner may also be based on  
12 personal observation, information, or statements obtained from coroner investigators,  
13 registered nurses, physician assistants, or emergency medical technicians at the scene  
14 who are reporting from firsthand observation of the physical condition of the  
15 deceased. The time of death shall be reported as the time that the death was reported  
16 or discovered. The name of the personnel that the coroner is relying on shall be  
17 noted on the coroner's ~~day record or protocol~~ investigative report.

1 Section 2. R.S. 13:5705 and 5712(A) are hereby amended and reenacted to read as  
2 follows:

3 §5705. Deputy coroners, assistant coroners, secretaries, stenographers, clerks,  
4 investigators, technicians, official photographer and other helpers;  
5 compensation

6 A. Each coroner may appoint one or more deputy ~~or assistant~~ coroners to  
7 perform his duties, ~~who need not be residents of the parish. However, any person~~  
8 ~~appointed as a deputy or assistant coroner, who is not a resident of the parish, shall~~  
9 ~~be a licensed physician.~~ They shall possess the same qualifications as the coroner  
10 and be paid by the coroner appointing them or by arrangement with the parish  
11 governing authority if the coroner is on a salary basis. A person may serve as a  
12 deputy ~~or assistant~~ coroner on a part-time basis in more than one parish. The tenure  
13 of the appointment shall be determined by the appointing coroner but shall not be  
14 longer than the coroner's term of office. The coroner shall be responsible for the acts  
15 of his deputy ~~or assistant~~ coroners.

16 B. Each coroner may appoint one or more assistant coroners to perform his  
17 duties. They shall be paid by the coroner appointing them or by arrangement with  
18 the parish governing authority if the coroner is paid on a salary basis. A person may  
19 serve as an assistant coroner on a part-time basis in more than one parish. The tenure  
20 of the appointment shall be determined by the appointing coroner but shall not be  
21 longer than the coroner's term of office. The coroner shall be responsible for the acts  
22 of his assistant coroners.

23 C. The coroner may appoint any necessary secretaries, stenographers, clerks,  
24 technicians, investigators, official photographers, or other helpers. The salaries of  
25 these employees shall be paid by the coroner out of his fees or by arrangement with  
26 the parish governing authority if the coroner is on a salary basis. All deputies and  
27 assistants of the coroner shall, before entering on their duties, take an oath of office  
28 and the oath shall be entered on the records of the court.

29 \* \* \*

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 §5712. Notification of death under suspicious circumstances; penalties for failure  
 2 to comply  
 3 A. A physician or other person having knowledge of a death under sudden,  
 4 accidental, violent, or suspicious circumstances or without medical attendance within  
 5 ~~thirty-six~~ twenty-four hours prior to death shall immediately notify the coroner of the  
 6 death.

7 \* \* \*

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 195 Original

2015 Regular Session

Jim Morris

**Abstract:** Provides for the appointment of one or more assistant coroners in addition to the appointment of one or more deputy coroners, requires deputy and assistant coroners to take an oath of office, and requires certain persons to immediately notify the coroner of a death under certain circumstances.

Present law provides that the medical pronouncement of death by a coroner may be based on personal observation, information, or statements obtained from coroner investigators or emergency medical technicians at the scene who are reporting from firsthand observation of the physical condition of the deceased. Provides that the name of the personnel that the coroner is relying on shall be noted on the coroner's day record or protocol.

Proposed law retains present law and adds registered nurses and physician assistants to the list of persons upon whose information the coroner may base the medical pronouncement of death, and changes the term "day record or protocol" to "investigative report".

Present law provides that each coroner may appoint one or more deputy or assistant coroners who possess the same qualifications as the coroner and who need not be residents of the parish, but requires that if a deputy or assistant coroner is not a resident of the parish, that person shall be a licensed physician.

Proposed law retains present law relative to deputy coroners, but provides that in addition to one or more deputy coroners, the coroner may also appoint one or more assistant coroners who are not required to have the same qualifications as the coroner.

Proposed law authorizes an assistant coroner to serve on a part-time basis for a term not to exceed that of the coroner, and who may serve as an assistant coroner in more than one parish.

Proposed law requires all deputy and assistant coroners to take an oath of office.

Present law requires a physician or other person having knowledge of a death under sudden, accidental, violent, or suspicious circumstances or without medical attendance within 36 hours prior to death to immediately notify the coroner of the death.

Proposed law reduces the time period from 36 hours to 24 hours.

(Amends R.S. 9:111(B) and R.S. 13:5705 and 5712(A))