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 DIGEST

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SB 241 Engrossed

2016 Regular Session

Milkovich

Present law provides that autopsy reports prepared by the coroner or his designee are public records. The coroner shall provide one copy of the autopsy report upon request by the next of kin at no charge to the next of kin.

Proposed law provides that the coroner shall provide one copy of the autopsy report at no charge upon request by the parent, sibling, child, grandchild, niece, nephew, aunt, uncle, or next of kin if there are none of the enumerated surviving relatives.

Present law provides that the coroner shall provide copies of the autopsy report at no charge to the appropriate law enforcement agencies as requested.

Proposed law retains present law and adds that the coroner shall also provide copies of the records, writings, and documents of any description in any way compiled, drafted or recorded in connection with an autopsy at no charge to the appropriate law enforcement agencies as requested.

Present law provides that the public records fee for any other copy of an autopsy report shall be the same as that charged by the registrar of vital records for the state for a death certificate.

Proposed law retains present law and provides that the records, writings, and documents of any descriptions in any way compiled, drafted, or recorded in connection with an autopsy shall be provided by the coroner to the enumerated relatives or next of kin upon payment of a reasonable copying charge.

Proposed law adds that the provisions of proposed law shall not apply to the decedent's medical records.

Proposed law provides that records, writings, and documents in any way compiled, drafted, or recorded in connection with an autopsy generated by a public entity other than a coroner shall be obtained from the public entity generating those records, writings, and documents.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 13:5713(J))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary B to the original bill

1. Removes records, writings, and documents of any description in any way compiled, drafted, or recorded in connection with an autopsy from public records.
2. Changes the fee the coroner may assess certain relatives and next of kin for providing copies of records, writings, and documents connected with an autopsy from no charge to a reasonable copying charge as provided in present law for the copying of health care information.

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Judiciary to the engrossed bill:

1. Add that the provisions of proposed law shall not apply to the decedent's medical records.
2. Add that records, writings, and documents in any way compiled, drafted, or recorded in connection with an autopsy generated by a public entity other than a coroner shall be obtained from the public entity generating those records, writings, and documents.
3. Make technical amendments.