



## Health & Safety Alert #3-11-02

### Notification of Coroner/Autopsies

This alert is to inform families and people who work in this field about issues that impact the health and safety of people for whom we provide services.

#### Notification of Coroner / Autopsies

**Situation:** Several recent situations arose where there was confusion as to whether an autopsy should be requested. This alert is to provide information on when it is expected that an autopsy will be completed.

**Alert:** The most relevant piece of statute appears to be Ohio Revised Code 313.12, which governs notice to the coroner of any violent, suspicious, unusual or sudden death. The precise language of that statute states:

*When any person dies as a result of criminal or other violent means, by casualty, by suicide, or in any suspicious or unusual manner, or when any person, including a child under two years of age dies suddenly when in apparent good health, the physician called in attendance, or any member of an ambulance service, emergency squad, or law enforcement agency who obtains knowledge thereof arising from his/her duties, shall immediately notify the office of the coroner of the known facts concerning the time, place, manner and circumstances of the death, and any other information which is required pursuant to Section 313.01 to 313.22 of the ORC. In such cases, if a request is made for cremation, the funeral director called in attendance shall immediately notify the coroner.*

The Ohio State Coroners Association web site (<http://www.osca.net/generalinfo.asp>) lists types of death reportable to the coroner's office: accidental, homicidal, suicidal, occupational, sudden deaths, therapeutic deaths, deaths occurring under special circumstances, or any death where there is a doubt, question, or suspicion. This web site also provides information on how to report a death to the coroner's office. Persons other than physicians, members of ambulance or emergency squads, or law enforcement personnel may report deaths. *Call the coroner's office if you are uncertain if a death has been reported to the coroner's office, or you feel the death should be reported to the coroner's office.*

For a death which the coroner has ruled as not a "coroner's case" (e.g., no foul play suspected and evidence of a natural death is present) there are circumstances in which an autopsy may prove beneficial. These include, but may not be limited to, a sudden unexplained death, particularly in a young person; those situations in which surviving family members' health and longevity may be improved by investigating for a cause of death which may be genetically related; and legitimate medical inquiry.

The Ohio Revised Code (ORC) Section 2108.50 governs the question of who may consent to an autopsy. Generally a licensed physician or surgeon may perform an autopsy with the written consent of the individual or any close relative, with preference to the closest surviving relative's wishes. 2111.13 provides for the guardian of the person

to consent to an autopsy. Section 2108.51 provides immunity from liability to a surgeon who acts in good faith based upon written consent to an autopsy. However, no consent is necessary when the autopsy is ordered by the coroner. See ORC 2111.13 regarding the guardian of the person to consent to an autopsy. *Note: See exceptions in ORC 313.131, regarding religious beliefs.*

For questions or comments regarding the above Alert, please contact the MUI/Registry Unit at (614) 995-3810.

*01/04*